

499. h. 7.

ABSTRACT
OF
THE ARTICLES OF CHARGE,
ANSWER,
AND
EVIDENCE,
UPON THE
IMPEACHMENT
OF
WARREN HASTINGS, Esq.

N. B. The Parts in Italics, on the Prosecution (or Charge) Side, are the Evidence of the Defendant, adduced in the Course of the Prosecution.

Those in Italics, on the Defence (or Answer) Side, are the Evidence of the Managers, adduced in the Course of the Defence.

Those in Italics, intermixed with the Evidence on the Prosecution in Reply, are the Evidence of the Defendant, adduced in the Course of the Reply.

The Article (or Charge) and the Answer (or Defence) are contrasted with each other, divided into distinct Facts, numbered, and printed in an inner Margin in a small Type. The Evidence is applied to each Part, and marked with corresponding Numbers.

The House (for example) and the Senate (for example) are considered as "independent" of each other, and are not considered as "part of the executive branch" or "part of the legislative branch".

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ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Bulwant Sing.

Sect. 1. THE Article begins by stating, that Bulwant Sing, a great Chief, and Zemindar, of Benares, dependant upon the Mogul, through Sujah Dowlah,

2. did, in the Commencement of the English Power in India, in 1764, attach himself,

3. and was, in the Opinion of the Directors, of signal Service to the British Nation;

4. in consideration whereof he was, by the Treaty of Allahabad in 1765, secured in the Possession of his Territories:

Which he retained until his Death.—Art. Fo. Edit. Pa. 3.

EVIDENCE.

Pages of
Printed
Minutes.

Sect. 1 and 2.

The Managers begin their Evidence to shew the Tenure, Situation, and Attachment of Bulwant Sing.

1764, Nov. 16.

Shitabroy to the Council

334 Rajah Shitabroy, soliciting the Council for Bulwant Sing, tells them that Bulwant Sing agrees to rent Benares, Gazipore, &c. of the Company, in the same Manner he rented those districts of Suja Dowlah: he describes Bulwant Sing to be a Man who strictly adheres to his Engagements, pays his Rents regularly, is a Person of high Rank, and the Zemindar of a Frontier Country.

Mr. Stables's examination.

308 Mr. Stables, being examined, says he thought Bulwant Sing a considerable Prince; he was in Possession of a fine Country and a large Body of Troops. On his Cross Examination he declares, that Bulwant Sing was Zemindar of Benares in 1764.

1764, Mar. 18.

Carnac to the Council

Mar. 29.
Minute of Council,
and their Letter in answer.

19 The Council, deliberating upon the proposed Alliance with Bulwant Sing, consider it will prove a strong Barrier and Defence to the Bengal Provinces; and direct Major Carnac to enter into the Alliance, and to engage to protect Bulwant Sing independent both now and hereafter.

1764, Dec. 6.

Council to Major Munro.

Articles to be executed by the King.

34 In December following they send further Instructions relative to Bulwant Sing: they say, 35 "we shall adhere to the Terms you have made with him; but it is our View to have the 36 "Power over this Rajah and his Zemindaries vested in the Company by Sunnuds from the "King as enjoyed by Sujah Dowlah." And they enclose the Articles for that Purpose, to be executed by the King.

Sect.

ARTICLE FIRST, BENARES.—DEFENCE.

2

Introductory Matter. Bulwant Sing.

Sect. 1. **M**R. HASTINGS, by his Answer, denies that Bulwant Sing was at all an independent Chief.

2. Asserts that the Council of Fort William declared his Conduct in the War in 1764 to be wavering and double.

Instances his Treachery.

Asserts that he was received back by General Carnac, contrary to the Knowledge and Inclination of the Council.

3. Admits the Opinion of the Directors in Bulwant Sing's Favour.

4. Says that Suja Dowla, by the Treaty, engaged to continue him in his Possessions, Benares being a Part, he paying his former Revenue.

Admits he retained Possession until his Death.—Ans. Fol. Edit. Pa. 4.

EVIDENCE.

Sect. 1. and 2.

Pages of
Printed
Minutes.

The Defendant sets out with Evidence to prove the Situation of Bulwant Sing in 1764, and his Conduct in the War in that and the following Year.

Bulwant Sing, supposing that the English will possess themselves of Suja Dowla's Country, proposes to hold Benares, Gazipore, &c. on the same Terms as he held them from Sujah Dowla. He has commissioned Shitabroy to act for him.

1764, Nov. 16. 1465
Bulwant Sing to Munro.

Then follows the Application of Shitabroy, in Evidence on the Prosecution. See the opposite Page.

1764, Nov. 16. 1465
Shitabroy to the Council.

Documents are then produced, to shew that Bulwant Sing had joined Major Munro, on Condition of his keeping the Country as before under the Vizier.

Dec. 27. 13. 1466
Minute of Council.
Billers to the Council.

Several Papers of the Year 1788 are recorded, to shew that Bulwant Sing was originally Aumil of Benares and Gazypore, and became possessed, by Force of Arms, of other Districts since forming a Part of Benares; and that the Claims of the Zemindars dispossessed by Bulwant Sing, were acknowledged by Mr. Hastings in 1781; that his Determination went to the Restoration of them, and in one Instance it was carried into Execution.

1788, Apr. 11. 1467
Lord Cornwallis's Minute on Duncan's Report. 1468
Duncan's Report, containing Amrow Sing's Report.

Major Carnac, detailing his Operations to the Council, says he is convinced, from Bulwant Sing's Behaviour, that his proposed Alliance was only a Scheme to favour Sujah Dowlah.

1764, Apr. 9, 17. 1468
Carnac to the Council. 1469

The Council declare, that the double Part Bulwant Sing acted at the Beginning of the War, warns them to put no Confidence in him; and they direct Major Munro, if he has not already entered into Engagements with him, to dispossess him and secure his Person.

1764, Nov. 6. 1469
Council to Munro.

Major Carnac, in January following, advises the Council that he has heard of Bulwant Sing's having eloped from the English.

1765, Jan. 5. 1469
Carnac to the Council.

But it appears, the Council do not believe this Report, it being equally for Bulwant Sing's Interest as theirs that he should fulfil the Engagements made with him.

1765, Jan. 21. 1469
Council to Carnac.

The Council recapitulate the Instances of Bulwant Sing's wavering Conduct, and repeat their Wish, that no Connection had been formed with him; however, as he is received back, they recommend a strict Eye to be kept over him.

1765, Apr. 1. 1470
Council to Carnac.

Mr.

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Introductory Matter. Bulwant Sing.

Pages of
Printed
Minutes.

Sect. 1 and 2.

Sect. 3.

1766, May 17.
Directors to the Council.

- 11 The Directors, after the Conclusion of the Peace, and Restoration of Suja Dowlah, express themselves thus to the Council; "Bulwant Sing's joining us at the Time he did was of signal Service, and the Stipulation in his Favour was what he was justly entitled to."

Sect. 4.

1765, Aug. 16.
Treaty between Suja
Dowlah, Nudjum Dow-
lah, and the English.

- 12 Suja Dowla engages by the 5th Article of the Treaty of Allahabad to continue Bulwant Sing in the Zemindary of Benares, Gazypore, &c. on Condition of his paying the same Revenue as theretofore.

IN REPLY.

On the Tenure of the Rajah of Benares, the Managers produce,

1788, April 11.
Minute of Lord Corn-
wallis.

- 2481 Lord Cornwallis's Minute upon Mr. Duncan's Report cited by the Defendant. (Supra
2482 pa. 2.) His Lordship says, that in the several Transfers of Benares, the Reservation of the Rights of Bulwant Sing and Cheyt Sing, the Zemindars, little short of Independency, were particularly attended to; and that, if Mr. Hastings's Decision in 1781 be confirmed, his Lordship "acts in Opposition to a Principle which he deems equitable, and, in Effect, "infringes the Pottah granted to the Rajah of Benares, which is a very important Confi-
deration."

Introductory Matter. Rights of Cheyt Sing.

- Sect. 5. The Article proceeds to state, That by the Influence of the British Government, and in Consideration of Money, and an Increase of Tribute paid to the Vizier (Suja Dowla), Rajah Cheyt Sing, the Son of Bulwant Sing, was in October 1770, on the Death of his Father, invested with the Government of the said Territories.

6. That in 1773, in Consideration of the Father's Services in 1764, Mr. Hastings, being empowered by himself and Council,

7. did, by Treaties, secure to Cheyt Sing, and his Posterity, the Inheritance of the above-mentioned Territories, upon the same Terms as they had been granted to Bulwant Sing, excepting only the said Increase of Tribute;

8. a further Increase of which was never to be demanded.

9. That the Company, as Guarantée, were pledged that there should never be any Deviation from the said Treaties.

10. Without

ARTICLE FIRST, BENARES.—DEFENCE.

4

Introductory Matter. Bulwant Sing.

Sect. 1 and 2.

Mr. Marriott, Chief of Benares, acquaints the Council of Bulwant Sing's Return, and of his having settled the Revenue to be paid by him to the Company. He transmits the Agreement concluded with Bulwant Sing. Upon which the Council give Directions, but do not determine any thing.

1765, Feb. 18. 22. 28. Mar. 21. 1470
Marriott to the Council. 1471
Minute of the Council.

Pages of
Printed
Minutes.

Sect. 3.

Sect. 4.

By the Treaty of Allahabad, Benares and the other Districts then rented by Bulwant Sing, notwithstanding the Grant of the same from the King to the English, are ceded to Sujah Dowla.

1765, Aug. 16. 1467
Treaty of Allahabad.

After the Treaty of Allahabad, Bulwant Sing is reprimanded, as highly offending the Nabob, in stopping Military Stores, and exacting Duties from a Merchant; the former having English Dufftucks, and the latter the Nabob's Perwanna of Exemption.

Letter to Bulwant Sing. 1471

Introductory Matter. Rights of Cheyt Sing.

Sect. 5. Mr. Hastings states, that by the Influence, and upon the Conditions specified in the Article, Cheyt Sing was allowed to hold the said Districts, and was invested with the Government thereof.

6. Says, that, in Consequence of the Powers stated in the Article,

7. he procured an Agreement from Suja Dowla, confirming the Affairs of the said Districts, described to have been under the Charge of Bulwant Sing, to Cheyt Sing, upon their former Footing, except only the Addition of Rent;

8. of which there was to be no Increase.

9. And he assured Cheyt Sing, that so long as he should make the Payments established, the Company would attend to his Welfare, afford him their Protection, and in the said Agreements there should be no Breach or Deviation.

C

ro. Admits

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

10. Without which Protection neither the Inheritance nor the Life of the Rajah were safe.
11. That in pursuance of the same Treaties, the Defendant in 1775 interfered by the Resident at Oude, and prevented the Vizier from levying, in Breach of the said Treaties, 5 Lacks of Rupees in Advance from Cheyt Sing;
12. declaring, that it was contrary to Treaty; that the Council would not see the Rights of their Dependants infringed; and that Cheyt Sing was not to be put on a Footing with the Vizier's other Zemindars.—Art. Fol. Ed. P. 3.

Sect. 5.

The Managers to prove the Succession of Cheyt Sing, produce a Letter of the Council to the Directors.

1770, Oct. 31.
Council to the Directors.

- 36 They recapitulate their Letter of the 11th September, which had advised the Directors of the Measures they were taking with Suja Dowla to induce him to settle the Zemindary of Benares on the late Raja's Son. Inform them of a Settlement being made, the Nuzerana to be paid by Cheyt Sing at 17 Lacks, and the Increase of Rent at 2½ Lacks per Annum.

1770, Dec. 24.
Select Committee to Directors.

- 37 And in the following December, they acquaint the Directors that with respect to Cheyt Sing, the Vizier has acted agreeably to their Desire. "Cheyt Sing is now fully invested with the Government, to the entire Satisfaction of every one, and is considered by the Vizier as holding the Country on the same Terms as his Father, the Difference in the Revenue excepted."

Sect. 6, 7, 8, 9, 10.

Having thus offered Evidence to prove the Succession in 1770, the Managers produce a Detail of the Transactions in 1773.

1773, Oct. 4.
Council to Mr. Hastings.

- 37 The Council empower the Defendant to renew, in Behalf of Cheyt Sing, the Stipulation which was formerly made with the Vizier in Favour of his Father Bulwant Sing, in Consideration of his Services to the Company in 1764.

1773, Oct. 4.
Mr. Hastings to the Council.

- 38 Mr. Hastings delivers a Report of his Proceedings. He lays before the Board a Coulnama, or Agreement, which he obtained from the Vizier, confirming to Cheyt Sing and his Posterity, the Stipulations formerly made in Behalf of his Father Bulwant Sing; also the Pottah, or Rent Roll, alluded to in the Coulnama, and a Translation of a Letter written by him as a further Assurance of the Conditions of the Coulnama.

Mr. Hastings resisted the Interpretation which the Vizier seemed to put upon the former Coulnama, namely, that it did not extend to Bulwant Sing's Posterity. He says, "I cannot conceive, that either the Rajah or Lord Clive, when the Treaty was made, could have intended it in that Sense. It has certainly been differently understood both by the Company and this Administration."—"I am well convinced that the Raja's Inheritance, and perhaps his Life, are no longer safe than while he enjoys the Company's Protection, which

ARTICLE FIRST, BENARES.—DEFENCE.

6

Introductory Matter. Rights of Cheyt Sing.

10. Admits he was bound to afford the Protection of the Company to the Rajah so long as he faithfully observed the Treaties.

11. Admits the Interference of the Resident at Oude, by his Directions.

12. Believes that the Resident made the Declarations stated in the Article.—
Anf. Fol. Edit. Pa. 3.

Sect. 5.

The Counsel for the Defendant, in order to shew the Circumstances under which Cheyt Sing succeeded to Bulwant Sing in the Management of Benares,

Produce Captain Harper's Letter to the Council, acquainting them, by the Vizier's desire, that his Excellency was about Proceeding to Benares to take Measures on the Death of Bulwant Sing, but he would act agreeably to the Wishes of the Council. 1770, Aug. 25. Harper to the Council. 1471

The Vizier, Mr. Harper observes, seems determined not to allow Bulwant Sing's Son to hold the same Authority as his Father did, either in Country or Forces.

Captain Harper, in a subsequent Letter, tells them Cheyt Sing had offered to purchase his Father's Sunnuds, but that the Vizier insisted upon higher Terms. Harper to the Council. 1472

The Council, upon Bulwant Sing's Death, remind the Directors of what Consequence it is, that the Succession to Benares should continue in the Family, but that it was a delicate Point to accomplish with the Vizier. Bulwant Sing, if he would, might have included his Son in the Treaty of 1765, and secured the Zemindary in his own Family. His whole Aim seemed to center in Self-security, without the least Attention to the Good of Posterity. 1770, Sep. 11. Council to Directors. 1473

The Sentiments of Cheyt Sing himself, on this Occasion, appear in the following Extract:

"The Favour of the English Serdars is such that I cannot describe the smallest Particle thereof, and if even every Hair of my Head was a Tongue, it would be impossible to express my Sense of it." 1770, Nov. 7. Cheit Sing to Cartier the President. 1474

Sect. 6, 7, 8, 9, 10.

Sect.

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

Sect. 6, 7, 8, 9, 10.

" which is his Due by the Ties of Justice, and the Obligations of public Faith, and which
 " Policy enjoins us to afford him ever most effectually. His Country is a strong Barrier
 " to ours, without subjecting us to any Expence, and we may depend upon him as a sure
 " Ally, whenever we may stand in Need of his Services."

1773, Sep. 7.
 Cheyt Sing's Coulnama
 and Pottah.

39 The Coulnama confirms Benares, Gazipore, &c. to Cheyt Sing upon their former
 " Footing. Exclusive of the Jumma specified in the Cabooleat of the present Fusselly
 " Year 1178, no Increase shall ever hereafter be demanded."—" This Agreement is
 " made between Suja Dowla and his Heirs, and Cheyt Sing and his Heirs, and it shall
 " never be deviated from." The Pottah ascertains the Net Revenue (or Jumma) to be
 paid by Cheyt Sing, at 22.48.449 Rupees.

Mr. Hastings, as a further Assurance to Cheyt Sing,

1773, Oct. 4.
 Mr. Hastings to
 Cheyt Sing.

39 Tells him he has affixed his Seal to the Agreements. Exhorts him to pay to the
 40 Vizier the Rents thereby established, in which Case the Company will afford him their Pro-
 tection, and in the Agreement there shall never be any Breach or Deviation.

1773, Oct. 12.
 Council to Directors.

38 The Council send an Account of this Negotiation to the Directors, acquainting them
 that they had obtained from the Vizier a Renewal of the Sunnuds in Favour of Cheyt Sing
 and his Posterity, on the same Footing as it was granted to his Father Bulwant Sing, ex-
 cepting only the Increase of 2½ Lacks to his annual Tribute, which the Rajah had agreed
 to at his Accession in 1770.

Sect. 11.

The interference in Cheyt Sing's favour in 1775,

1775, Mar. 30.
 Minute of Mr. Hastings.
 Cheyt Sing to Mr.
 Hastings.
 Cheyt Sing to his
 Vakeel.

40 Arose from a strong Complaint made by Cheyt Sing to Mr. Hastings, in consequence
 41 of the Vizier drawing upon him for his Tribute in Advance. Cheyt Sing says he dis-
 charged one Tunka of five Lacks in Advance before, and he was then fearful of its be-
 coming a Precedent.

1775, Mar. 30.
 Council to Bristow.

41 The Council direct Mr. Bristow, the Resident at the Vizier's Court, to remonstrate to
 the Vizier against such Proceedings, as unjust, and contrary to his Engagements with the
 Rajah, of which they are the Guarantees; and to demand Payment from him of the Tun-
 caw refused to be accepted by Cheyt Sing.

Sect. 12.

1775, Apr. 14.
 Bristow to the Council.

41 Mr. Bristow informs the Council of his having executed his Commission. He assured
 42 his Excellency, that he could not demand any Sums in Advance. That Cheyt Sing would
 not, by his Compliance, establish a Precedent disadvantageous to himself, and contrary to
 Treaty. That the Board would never suffer the Rights of their Dependants to be in-
 fringed. That Cheyt Sing was to be considered in this Light. That the Vizier must ex-
 pect to see him protected, for he was not to be put on a Footing with his other Zemindars.
 The Vizier promised not to draw in future upon the Rajah in Advance.

Sect. 13. The Article then states that the above, and all other Stipulations in Favour
 of the Rajah, were approved of and ratified by Mr. Hastings.—Art. Pa. 4.

14. The Article then takes up Mr. Hastings's Proposition in 1775, and
 states, that some Time in that Year Mr. Hastings proposed and carried a
 Resolution, that the Exercise by Cheyt Sing of an independent Authority
 in his Dominions, should be a Condition of the Treaty then negotiating
 with the Vizier.—Art. Pa. 4.

Sect.

Introductory Matter. Rights of Cheyt Sing.

Sect. 6, 7, 8, 9, 10.

Upon the death of Raja Dost, the Council deliberated upon the question whether to give to the Rajah, at the Court of his Successor, Joseph in Dost.

Mr. Hastings proposed the Question, whether the Treaties made with Raja Dost expired at his Death; Mr. Hastings and Mr. Barwell think they did not; Mr. Francis, Colonel Blandford, and General Clavering, think they did; and it is rejected.

On the Governor General's Proposition, it is unanimously resolved that a new Treaty shall be made with Joseph in Dost.

On the Terms of the new Treaty with respect to Benares, Mr. Francis proposes that it should be made dependent upon Benares; that the Rajah's Rights should be paid to the Company, the Rajah's property forfeited in his Family, and his Authority left unimpaired: Mr. Barwell declares in favour of retaining Benares totally independent of India, but he is of Opinion, in order to secure the Rajah to us, that he ought not to be made tributary: Colonel Blandford concurs with Mr. Barwell, but thinks the Rajah should continue tributary at a diminished Rate.

Mr. Hastings proposes,

1. To reserve the Province of Allahabad and Benares, as they stood at the Rajah's Death.

2. That the perpetual and independent Possession of the Kingdom of Benares and its Dependencies, be confirmed and guaranteed to Raja Cheyt Sing, and his Heirs for ever, subject only to the Revenue;—that no other Demand be made upon him, either by the Nabob of Oude, or the Government, nor any kind of Authority or Jurisdiction exercised by either within the Kingdoms allg'd.

Sect. 11.

Mr. Hastings observes upon this, that the Rajah "may be made a serviceable Ally to the Company, whenever their Affairs shall require it. He has always been considered in this Light both by the Company and the Executive Members of the Council; but to en- dure his Attachment to the Company, his Interest must be connected with it, which cannot be better effected than by giving him totally from the Revenue of his present Valahy, under the Guarantee and Protection of the Company, and at the same Time guaranteeing against any Approaches from the Government by which he might be made tributary, that no ex- cessive demands shall ever be made on his Rights by the Company."

3. Upon his third Proposition, which was in the Language of the Revenue of Benares to remain the Rajah's and the Company, he observes that it contradicts the Independence of Benares in the new Government Foundation.

The Debate being resumed, Mr. Hastings put the Question, What Part of the Rajah's Treas- ure shall be included in the new Treaty?—It is resolved in the Affirmative, but not included.

Sect. 12.

Mr. Hastings proposes, Whether it shall be a Condition of the new Treaty, that Cheyt Sing shall exercise a free and independent Authority in his own Dominions, subject only to the Payment of his Tribute?—It is resolved in the Affirmative.

And the Resolution is communicated by the Council to the Directors, in their Account of their Proceedings on the Subject of the new Treaty.

Sect. 13. Mr. Hastings admits his Ratification of the above Stipulations in Favour of the Rajah, but knows of no other.—Anf. Pa. 5.

Sect. 14. Mr. Hastings says, that the Council having resolved (he dissentient), that the Treaties made with the late Vizier expired at his Death, he brought forward sundry Propositions upon the intended new Treaty with the Vizier, one of which was, to the Effect mentioned in the Article, and it was agreed to, but never carried into Execution.—Anf. Pa. 5.

Introductory Matter. Rights of Cheyt Sing.

Sect. 14.

1775, Feb. 13.
Secret Consultation.

42 Upon the death of Suja Dowlah, the Council deliberate upon the Instructions necessary to be given to the Resident, at the Court of his Successor, Asoph ul Dowlah.

43 Mr. Hastings proposes the Question, whether the Treaties made with Suja Dowla expired at his Death; Mr. Hastings and Mr. Barwell think they did not; Mr. Francis, Colonel Monson, and General Clavering, think they did; and it is so resolved.

On the Governor General's Proposition, it is unanimously resolved that a new defensive Treaty shall be made with Asoph ul Dowla.

44 On the Terms of the new Treaty with respect to Benares, Mr. Francis proposes, that it should be made dependant upon Bengal; that the Rajah's Tribute should be paid to the Company, the Zemindary perpetuated in his Family, and his Authority left uncontrouled: Mr. Barwell declares in favour of rendering Benares totally independant of Oude; but he is of Opinion, in order to secure the Rajah to us, that he ought not to be made tributary: Colonel Monson concurs with Mr. Barwell, but thinks the Raja should continue tributary at a diminished Tribute.

Mr. Hastings proposes,

1. To renew the Treaties of Illahabad and Benares, as they stood at the Vizier's Death.

" 2. That the perpetual and independant Possession of the Zemindary of Benares and its Dependancies, be confirmed and guaranteed to Rajah Cheit Sing, and his Heirs for ever, subject only to the Revenue;"—"that no other Demand be made upon him, either by the Nabob of Oude, or this Government, nor any kind of Authority or Jurisdiction exercised by either within the Dominions assigned him."

45 Mr. Hastings observes upon this, that the Rajah "may be made a serviceable Ally to the Company, whenever their Affairs shall require it. He has always been considered in this Light both by the Company and the successive Members of the late Council; but, to ensure his Attachment to the Company, his Interest must be connected with it, which cannot be better effected than by freeing him totally from the Remains of his present Vassalage, under the Guarantee and Protection of the Company, and at the same Time guarding him against any Apprehensions from this Government by thus pledging its Faith, that no Encroachments shall ever be made on his Rights by the Company."

46 3. Upon his third Proposition, which goes to the Partition of the Revenue of Benares between the Vizier and the Company, he observes that it contributes to fix the Independancy of Benares on the most permanent Foundation.

1775, Mar. 3.
Secret Consultation.

46 The Debate being resumed, Mr. Hastings puts the Question, What Part of the Nabob's Dominions shall be included in the new Treaty?—In the Resolution upon this Proposition Benares is not included.

48 Mr. Hastings proposes, Whether it shall be a Condition of the new Treaty, that Cheyt Sing shall exercise a free and independant Authority in his own Dominions, subject only to the Payment of his Tribute?—It is resolved in the Affirmative.

1775, Mar. 24.
Council to Directors.

49 And the Resolution is communicated by the Council to the Directors, in their Account of their Proceedings on the Subject of the new Treaty.

Sect. 15. The Article then proceeds to state, that afterwards, the Company obtained from the Vizier an Assignment of the Rajah's Tribute, whereby the Vizier's Rights of Superiority over him were transferred, yet his Tenure and Condition continued the same,

without Encroachment on his just Rights or the Engagements subsisting with him,

the Nature of which had been often recognized by Mr. Hastings, and never were by any subsequent Agreement done away.

Introductory Matter. Rights of Cheyt Sing.

Sect. 14. That Mr. Hastings, in June 1775, by before the Council several Propositions to the Board to render the Rajah more independent; to prevent him from being reduced to what Mr. Hastings calls, the mean and degraded state of a mere Zemindar, and to raise him to a situation of power and dignity unknown to his Ancestors.

And Mr. Hastings did, on his own Proposal, with the Approbation of the Council, render to Cheyt Sing the Powers of executing criminal Justice, and appointing Judges.

Which in that Company's Papers were considered as Grants of Sovereignty.

And he further proposed, that while the Rajah should continue faithful to the Company, he should be permitted to have a separate Army, and that he should be allowed to have a separate Revenue, and that he should be allowed to have a separate Administration.

Which Propositions were agreed to by the Council, and were ordered to be carried into Effect.

Sect. 15. That Mr. Hastings, in June 1775, by before the Council several Propositions to the Board to render the Rajah more independent; to prevent him from being reduced to what Mr. Hastings calls, the mean and degraded state of a mere Zemindar, and to raise him to a situation of power and dignity unknown to his Ancestors.

And Mr. Hastings did, on his own Proposal, with the Approbation of the Council, render to Cheyt Sing the Powers of executing criminal Justice, and appointing Judges.

Which in that Company's Papers were considered as Grants of Sovereignty.

Sect. 15. Mr. Hastings Answers, that by the Treaty of 21st May, 1775, between the Vizier and the Company, the Nabob gave up all the Districts dependant on Cheyt Sing, and the Duties and the Sovereignty thereof, in Perpetuity.

The Council, however, considered the Treaty as a mere temporary Measure, and they ordered Mr. Hastings to keep up the Rajah in the same state of Dependence as he was in before the Treaty.

16. Mr. Mr. Hastings, in June 1775, by before the Council several Propositions to the Board to render the Rajah more independent; to prevent him from being reduced to what Mr. Hastings calls, the mean and degraded state of a mere Zemindar, and to raise him to a situation of power and dignity unknown to his Ancestors.

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

Sect. 16. That Mr. Hastings did, in June 1775, lay before the Council several Propositions to effect the Intention of the Board, to render the Rajah more independant; to prevent him from being reduced to, what Mr. Hastings calls, the mean and depraved State of a mere Zemindar, and to raise him to a Situation of Power and Dignity unknown to his Ancestors.

17. And Mr. Hastings did, on his own Propofal, with the Approbation of his Council, convey to Cheyt Sing the Powers of executing criminal Justice, and coining Money:

Which in that Country have always been confidered as Marks of Sovereignty.

18. And he further propofed, that whilst the Rajah should continue faithful to his Engagements, punctual in his Payments, and duly obedient to the Government, no more Demands should be made upon him, nor should any one interfere with his Authority, or disturb the Peace of his Country:

19. Which Proposition was agreed to by the Council, and was ordered to be communicated to Cheyt Sing by Mr. Fowke the Resident.—Ans. Pa. 4.

Sect. 15.

1775, May 17. 19.
Bristow to the Council.

50 Mr. Bristow negotiated the Treaty, which, amongst other Things, ceded Benares to the
51 Company.

1775, May 21.
Treaty between Asoph
ul Dowla and the Com-
pany. Art. 5.

51 By the Treaty “ the Nabob for the Defence of his Country, as above specified, declares
“ that he has given up, of his own free Will and Accord, unto the English Company, all the
“ Districts dependant on Rajah Cheyt Sing, together with the Land and Water Duties,
“ and the Sovereignty of the said Districts in Perpetuity. The Company, in one Month
“ and a Half, shall take upon them the Sovereignty and Possession of the said Districts.”

The Council communicate the Transaction to the Directors.

1775, Aug. 3.
Council to Directors.

52 The Cession conveys a valuable Acquisition to the Company without incumbering them with new Engagements, or loading them with additional Expences. The Rajah is to pay a neat Tribute without rendering Account. Whether the Tribute shall be paid at Patna or Calcutta is not yet settled. They wait Cheyt Sing's Answer to this, also to Points regarding the Cutwally, and the Mint, and to their Recommendation to him to keep up a Body of Cavalry.

Sect.

Introductory Matter. Rights of Cheyt Sing.

Sect. 16. Mr. Hastings says, that at a Meeting of the Council, on the 12th June, 1775, he proposed, "that the Sovereignty of the Zemindary of Benares having been ceded," &c. in the Words of his Minute, cited by the Managers, down to "Engagements actually subsisting with him." *Infra*. Pa. 13.

That by the Plan laid before the Council upon that Occasion, several Propositions were suggested as a Plan of Settlement with Cheyt Sing.

But he denies they were to effect any Intention of the Board to make the Rajah more independant, or that the Board had, subsequent to the Cession, manifested any such Intention.

Says that the Opinions of Colonel Monson and General Clavering (which he quotes in the Words of their Minutes of the 5th July, 1775), were averie to the Independancy of Cheyt Sing. See these Minutes cited by the Managers, *Infra* Pa. 15.

That it was his Object to render the Rajah more independant than he had been, "to prevent him from being reduced," &c. In the Words of the Article.—*Anf.* Pa. 5, 6.

Denies that he intended to weaken or diminish the Company's Right of Sovereignty, or to change the Nature of the Rajah's Relation to the Company, or to dispense with his Duties as a Vassal :

For he proposed that the Authority of the Rajah should be under the acknowledged Sovereignty of the Company; and declared he was bound for the Performance of his Duty as a Vassal to the Company.

Which Proposal was agreed to by the Board, with the Addition that a Compensation should be demanded of the Rajah for the Cutwally.

17. Mr. Hastings answers, by quoting the Words of his Propositions and Observations, as they appear in the Evidence cited by the Managers, upon this Subject. *Infra*, Pa. 13.

Denies, that by his Proposal respecting the Mint, he intended to convey to Cheyt Sing any Rights inconsistent with the Sovereignty of the Company, for he did on the contrary declare, "that the Grants of the said Offices to the said Rajah, &c." in the Words of his Observation upon his 3d Proposition down to "implied Symbols of Dominion." *Infra*, Pa. 13.

Says the Board agreed to the Proposal respecting the Cutwally and Mint, conditionally upon Cheyt Sing paying an annual Compensation for them, and coining Money of a precise Standard fixed by the Board.

18. Says, that having submitted to the Board certain Propositions connected with each other, as a Plan of Settlement with Cheyt Sing, which were afterwards materially altered by the Board, he did, as Part of his original Propositions, recommend, "that while the Rajah" in the Words of his 5th Proposition down to "the Peace of his Country." *Infra* Pa. 15.

19. That the Resolutions formed by the Board were ordered to be communicated to the Rajah by Mr. Fowke, who was directed "to notify to him" "the Sovereignty of the Company, &c." in the Words of the 2d Paragraph of Mr. Fowke's Instructions of the 24th August, 1775, cited in Evidence down to "Acknowledgment of his Vassalage."—*Infra* Pa. 15. *Anf.* Pa. 6.

Sect. 15.

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

Sect. 16.

Mr. Hastings upon the Cession of the Sovereignty of the Zemindary of Benares,

1775, June 12.

Minute of Mr. Hastings.

- 53 Submits several Propositions to the Board, "as a plan of Settlement between the Rajah and the Company, declaring his Readiness to acquiesce in any other which may more effectually provide for the Interests of the Company, without an Encroachment on the just Rights of the Rajah, or the Engagements actually subsisting with him."

In his Observation on his first Proposition, concerning the Payment of the Rajah's Tribute at Patna, he says he proposes it, "because that is the nearest provincial Station, and because it would not frustrate the Intention of rendering the Rajah independant. If a Resident was appointed to receive the Money as it became due at Benares, such a Resident would unavoidably acquire an Influence over the Rajah, and over his Country, which would in effect render him the Master of both."—"The Construction to which the Rajah's opposition to the Agent would be liable, might eventually draw on him severer Restrictions, and end in reducing him to the mean and depraved State of a mere Zemindar."

- 53 His 2d Proposition is, "That the Rajah shall be empowered to exercise a complete and uncontrouled Authority over his Zemindary, under the acknowledged Sovereignty of the Company in the Government of the Country dependant on him, in the Collection of the Revenues, and in the Administration of Justice."

He observes upon "the Advantages which the Rajah will receive from these Cessions, exclusive of the Gratifications which his Pride would obtain from the Possession of a state of Power and Dignity unknown to any of his Ancestors, and the Security of his Person and Possessions from the Company's Protection."

- 54 "It would be scarce possible to enumerate all the Inconveniencies to which the Rajah was liable in his former Situation, or to estimate the precise Effect which they produced on his Revenue."

Sect. 17.

Mr. Hastings's 3d Proposition relates to the Grants of the Cutwally and the Mint.

1775, June 12.

Minute of Mr. Hastings.

- "That Sunnuds be granted to the Rajah specially, conferring upon him the Power of appointing Officers to the Charge of the Cutwally and the Mint of Benares; the latter to be subject to such Orders and Regulations as the Governor General and Council shall at any Time decree."

He observes upon this Proposition, "That these Offices have been considered as Marks of Sovereignty, at least this has served for the Pretext to withhold them from the Possession of the Rajah, to whom they have been a heavy Grievance; the Cutwally especially, which being held in Farm, and exercised under the Authority of a Prince who had no Interest in the Welfare of his People, has always been represented as a Source of the worst Corruption. If there be any Weight in the Plea for referring these Prerogatives to the Company, the Grant of them to the Rajah himself by special Sunnuds will be a sufficient Expression of their Sovereignty, although the solemn Renunciation of it already made by the Nabob of Oude is the best and most valid Charter under which it can be claimed; and while they have three Brigades and a full Treasury to assert it, there is no fear that their Right to it will be opposed by Reasonings drawn from implied Symbols of Dominion."

"No Alterations should be made in the Weight or Alloy of the Coin to be debased, and the Rajah himself holds his Right to the Mint on Condition of his faithful Observance of these Rules."

Sect.

ARTICLE FIRST, BENARES. DEFENCE.

Introductory Matter. Rights of Cheyt Sing.

Sec. 16.

Mr. Hastings proposes stipulations which the British will certainly be obliged to accept. The Government, and purchase in the Payment, and shall pay the Government, no more Demands shall be made upon him by the Company, or any King, nor on any Person whatsoever shall any Person be allowed to interfere with the Authority, or to disturb the Peace of his Country.

The Council upon this Day return the Consideration of Mr. Hastings's Propositions, and resolve upon them.

The Council unanimously agree to the 1st Article, and that it be proposed to the Rajah to pay his Treasures in Calcutta instead of Benares.

Upon the 2d Article, Mr. Hastings says, "no Consideration should be made to the Rajah; he should remain exactly in the same state of Dependence and Subordination to the Company as he was in to the Nabob." And General Clive says, "it is the Company's business to be paid in the same manner as the Nabob was paid; and that if the Administration of Justice be given to him, a Justice of Peace may be obtained, equal to the advantages that may accrue to him from it." See the Report, Sec. 16.

The Council agree to the 2d Article, but that a Commission be appointed to demand of the Rajah for the Company, see the Report, Sec. 16.

To the 3d Article, the Council agree, "on the Rajah's paying an annual Contribution to the Company for the Customs and the Salt, and adding nothing to the value of the price of the Company, which shall be paid by the Rajah." See the Report, Sec. 17.

The 4th Article is read and approved. See the words of it, Report, Sec. 18.

Mr. Hastings addresses the Directors in 1771. Sec. 19.

The Council resolves that the Management of Cheyt Sing, without any Interference but receiving the established Tribute. This he deems most politic, most conformable to their Orders, and to the Engagement already existing with the Rajah.

The Managers then produce the Communication in Form to Cheyt Sing of the Plan of Settlement of the Town upon which he is to hold the Zemindary. This Communication is made by Mr. Powke, agreeably to the following Instructions.

"You will wait on Rajah Cheyt Sing and present him with the Summons which will be delivered to you for that purpose, having first notified to him the Sovereignty of the Company over all the Territories of his Zemindary, and received from him on his oath of the Company, and in their Name, a Declaration or Acknowledgment of his Vassalage, which we at 100000 Rupees; you will then require him to furnish the Company with a Declaration of his Vassalage, and invest him with a Khilafat, and you will inform the Rajah that he is not to enter into any Alliance or Agreement with any foreign Prince, on Pain of forfeiting his Zemindary." "It will be proper to assure the Rajah that we do not mean to encroach on his Treasures, but to require from him the exact Sum, and in the same Species of Rupees, to be paid to the Company, as he paid to the late Vizier Sult an Dowla, before his death." "You must be fixed for the Rajah and Company, the whole to be paid by him monthly; and if we should find in execution hereafter to receive the Amount of the Treasures, a suitable Deduction or Commission shall be allowed to him for the Expense and Risk of transporting or retaining it."

1771, Jan. 10.
Minutes of Mr. Hastings.

1771, July 3.
Secret Consultation.

1771, July 1.
Minutes of Mr. Hastings.
and Gen. Clive.

Minutes of the Council.

1771, July 10.
Minutes of the Council.
to the Directors.

1771, Aug. 20.
Instructions of the
Council to Mr. Powke.

Instructions to Mr. Powke.

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

18.

1775, June 12.
Minute of Mr. Hastings.

Mr. Hastings proposes 5thly, that while the Rajah shall continue faithful to these Engagements, and punctual in his Payments, and shall pay due Obedience to the Authority of this Government, no more Demands shall be made upon him by the Company of any Kind, nor on any Pretence whatsoever shall any Person be allowed to interfere with his Authority, or to disturb the Peace of his Country.

19.

1775, July 5.
Secret Consultations.

55 The Council upon this Day resume the Consideration of Mr. Hastings's Propositions, and resolve upon them.

They unanimously agree to the 1st Article, and that it be proposed to the Rajah to pay his Tribute at Calcutta instead of Patna.

1775, July 5.
Minutes of Col. Monson
and Gen. Clavering.

56 Upon the 2d Article Colonel Monson says "no Concession should be made to the Rajah; he should remain exactly in the same State of Dependence and Subordination to the Company as he was in to the Nabob." And General Clavering is of Opinion "that the Rajah should hold his Zemindary of the Company, on the same Footing precisely that he held it of the late Nabob; and that, if the Administration of Justice be given to him, a suitable Equivalent may be obtained, equal to the Advantages that may accrue to him from it." See the Answer, Sect. 16.

Minutes of the Council.

The Council agree to the 2d Article, but that a Compensation be demanded of the Rajah for the Cutwally. See the Answer, Sect. 16.

To the 3d Article the Council agree, "on the Rajah's paying an annual Compensation to the Company for the Cutwally and the Mint, and obliging himself to coin Money of the precise Standard only, which shall be fixt by the Board." See the Answer, Sect. 17.

57 The 5th Article is read and approved. See the words of it, supra, Sect. 18.

Mr. Hastings addresses the Directors in this Stage of the Settlement with Cheyt Sing.

1775, July 21.
Hastings to the Directors.

60 He thinks Benares should be left entirely to the Management of Cheyt Sing, without any Interference but receiving the established Tribute. This he deems most politic, most conformable to their Orders, and to the Engagements already subsisting with the Raja.

The Managers then produce the Communication in Form to Cheyt Sing of the Plan of Settlement of the Terms upon which he is to hold the Zemindary. This Communication is made by Mr. Fowke, agreeably to the following Instructions.

1775, Aug. 24.
Instructions of the
Council to Mr. Fowke.

58 "2. You will wait on Rajah Cheyt Sing and present him with the Sunnuds which will be entrusted to you for that Purpose, having first notified to him the Sovereignty of the Company over all the Territories of his Zemindary, and received from him on Account of the Company, and in their Name, a Nuzzerannee or Acknowledgment of his Vassalage, which we fix at 10,000 Rupees; you will then require him to publish this Act by Proclamation through his Country, and invest him with a Khelaat."

"3. You will next inform the Rajah that he is not to enter into any Alliance or Engagement with any foreign Prince, on Pain of forfeiting his Zemindary."

"4. It will be proper to assure the Rajah that we do not mean to encrease his Tribute, but to require from him the exact Sum, and in the same Species of Rupees, to be paid at Benares, as he paid to the late Vizier Suja ul Dowla, besides whatever Equivalent may be fixed for the Mint and Cutwally, the Whole to be discharged by equal monthly Kifts; and if we should find it expedient hereafter to receive the Amount at the Presidency, a suitable Deduction or Commission shall be allowed to him for the Expence and Risk of transporting or remitting it."

That

Introductory Matter. Rights of Cheyt Sing:

18.

"That, under the acknowledged Sovereignty of the Company, we are determined to leave him the free and uncontrolled Management of the internal Government of his Country, and the Collection and Regulation of the Revenue to him as he shall see fit, and will never demand any Abrogation of the annual Tribute which may be paid."

19.

Mr. Rowke takes with him a Letter from Mr. Hastings to Cheyt Sing, written with the Approbation of the Council. It is to the same Effect as the Instructions.

He reads the Treaty of May 1775, and tells the Rajah that the Board have desired Mr. Rowke to take Possession of the Country, "but being willing to continue the Grant of the Zemindary to you in as ample a Manner as you possessed it from the former Sovereign, and upon the same Terms, that is to say, on your paying to the Company as before the annual Tribute of Rupees 27,52,65-12 by regular monthly Kists, I have desired to Mr. Rowke a Summand in the Name of the Company, with a Kistah, with which he is empowered to invest you in the Form, retaining however to the Company the Sovereignty of the Country to the full Extent that it was or might have been held by the late or present Soubah of Oude."

"The other sources from which the Soubah of Oude drew a Revenue, will also be granted you, that you may possess an uncontrolled and free Authority in the Regulation and Government of your own Zemindary."

The Managers next show the Summand or Grant themselves actually made to Cheyt Sing, which they introduce by Mr. Hastings's own Opinion upon them.

The Governor General directs the Secretary to request the Opinion of the Board as to the Mode of signing Cheyt Sing's Summand. Mr. Hastings thinks that as the Nature of the present Grant is more in the Light of a Treaty than a customary Dewannee Summand, it should be signed by the Board. To which the Council agree.

The Summand to Cheyt Sing here mentioned, does not appear but it appears by the subsequent Proceedings what the Nature and Form in fact were of the Summand, which the Board finally executed.

The Counsel of the Defendant, to shew the Tenure and Situation of Cheyt Sing under the Company.

Produce Mr Hastings's Letter to Cheyt Sing, which is in Substance the same as Mr. Fowke's Instructions, cited opposite.

Mr. Rowke gives an Account of having fulfilled his Instructions of the 24th of August, agreeably to the Tenor of them.

In a following Letter, having considered that the Forms practised upon such solemn Occasions as the Investiture of Cheyt Sing are the Evidences of Sovereignty and Subjection, and should consequently stand upon the Records of the Company, he lays before the Council the Particulars of the Ceremony. During the Performance of it, "the Rajah's, Chubdars, and Servants, repeated Words of similar Import to those of 'God save, and long live the Honourable Company.' The Rajah, after this, made three several low Objections as to the Power from whom he had received this Honour, and taking his leave of me, left the Tent upon an Elephant."

The Council recapitulate their former Advices, which apprised the Directors of the Measures they were taking towards a Settlement with Cheyt Sing. They acquaint the Directors

1775, Aug. 24. 1473
Hastings to Cheyt Sing.

1775, Oct. 30. 1473
Fowke to the Council. 1474

1775, Dec. 30. 1474
Fowke to the Council.

1475

1775, Sep. 14.
Council to Directors.

F

Directors

Introductory Matter. Rights of Cheyt Sing.

Sect. 19.

" 5. That, under the acknowledged Sovereignty of the Company, we are determined to leave him the free and uncontrouled Management of the internal Government of his Country, and the Collection and Regulation of the Revenues, so long as he adheres to the Terms of his Engagements, and will never demand any Augmentation of the annual Tribute which may be fixed."

59 And they direct him to administer to Cheyt Sing the Oath of Fealty and Allegiance.

1775, Aug. 24.
Mr. Hastings to Cheyt Sing.

Mr. Fowke takes with him a Letter from Mr. Hastings to Cheyt Sing, written with the Approbation of the Council. It is to the same Effect as the Instructions.

He notices the Treaty of May 1775, and tells the Rajah that the Board have deputed Mr. Fowke to take Possession of the Country; "but being willing to continue the Grant of the Zemindary to you in as ample a Manner as you possessed it from the former Sovereigns, and upon the same Terms, that is to say, on your paying to the Company at Benares the annual Tribute of Rupees, 23,72,656.12. by regular monthly Kifts, I have delivered to Mr. Fowke a Sunnud in the Name of the Company, with a Khelat, with which he is empowered to invest you in due Form, reserving however to the Company the Sovereignty of the Country to the full Extent that it was or might have been held by the late or present Soubah of Oude."

"The other Sources from which the Nabob of Oude drew a Revenue, will also be granted you, that you may possess an uncontrouled and free Authority in the Regulation and Government of your own Zemindary."

The Managers next shew the Sunnud or Grants themselves actually made to Cheyt Sing; which they introduce by Mr. Hastings's own Opinion upon them.

1775, Sept. 4.
Minutes of the Secretary, and of the Council.

60 The Governor General directs the Secretary to request the Opinion of the Board as to the Mode of signing Cheyt Sing's Sunnud. Mr. Hastings thinks that as the Nature of the present Grant is more in the Light of a Treaty than a customary Dewannee Sunnud, it should be signed by the Board. To which the Council agree.

The Sunnud to Cheyt Sing here mentioned, does not appear, but it appears by the subsequent Proceedings what the Nature and Form in fact were of the Sunnud, which the Board finally executed.

1776, April 15.
Minutes of the Council.

70 The Board having signed the Sunnud and Pottah for Cheyt Sing's Zemindary, order them to be transmitted.

1776, April 15.
Cheyt Sing's Sunnud and Potta.

The Sunnud recites the Cession of Benares, Gazipore, &c. to the Company by the Treaty of May, 1775. Which Districts the Company confirm to Cheyt Sing. The Rajah is to coin according to the "Muchulka." He is not to be remiss in the Execution of his Duties. He is to behave with Moderation to the Riots.—To promote the Cultivation of his Country.—To expel Thieves, nightly Assaulters, &c.—To pay his Tribute 22,66,180 Calcutta Siccas, annually to the Company's Treasury, agreeably to his Kifts and "Muchulka," by monthly Payments, being allowed Two per Cent. for Exchange.

This Sunnud is to be in full Force, and all former Sunnuds are to be null and void. All Men are to regard Cheyt Sing as lawfully possessed of the Zemindary, and to acknowledge his Authority.

Introductory Matter. Rights of Cheyt Sing.

Sect. 19.

Directors of the Appointment of Mr. Fowke to settle some local Investigations relative to the Cutwally and the Mint. In the mean Time they agreed that the Rajah should continue to pay the same Tribute as he paid to the late and present Nabobs of Oude, exclusive of the Mint and Cutwally which the Nabob held in his own Right.

In this Letter they inform them of having fixed the Rajah's Tribute altogether at 1776, Jan. 15. 1775
S. Rs. 22,66,180. conformably to their Resolution to exact the same from him as he paid to the late Vizier. Mr. Fowke is treating with the Rajah for Payment of his Tribute at Calcutta, which they hope, from the Concessions made to him in the Cutwally and Mint, he will remit on moderate Terms.

Council to Directors.

1775

Upon the 11th Proposition, that no further Demands shall be made upon the Rajah, the Government on its own Account will afford the Rajah the greatest Consideration, and naturally inspire him with a sense of Fidelity and Attachment, both from the Prince's part of Gratitude and Self-interest; without some such Assurance, he will expect with every Change of Government additional Demands to be made upon him, and will count himself obliged to all the Arts of Lavage and Concessions granted by other dependent Rajahs, which will keep him restless and weak, and eventually prove harmful to the Company. By proper Encouragement and Protection he may prove a valuable Dependence, a useful Barrier, and even a powerful Ally, to the Company; but he will be neither, if the Conditions of his Connection with the Company are left open to future Variations.

The Article proposed to charge that Mr. Hastings in June 1775 proposed that Cheyt Sing should engage to maintain a body of 2000 Cavalry for which the Company were to pay 12 Rupees per Month for each 750 men, and for the Officers in Proportion, to long as they continued in the Company's Service.—Art. 12.

That Mr. Hastings had declared it to be far from his Intention to propose this or any other Article to be imposed upon the Rajah by Company.

And the Board refused to recommend the Measure to Cheyt Sing, but that there be no Obligation upon him to accept it.—Art. 12.

21.

The 4th Proposition of Mr. Hastings's Plan of Settlement with Cheyt Sing is couched in the Words of the Article and the Answer to it, beginning with "that in the Return for these Concessions," &c. Upon which he observes, "that the additional Pay will make them" (the Cavalry) "our own when we want them."

22.

In the Discussion of the above Proposition, the Majority object to the compelling of the Rajah to maintain Cavalry. Mr. Hastings says, "It was far from my Intention to propose this or any other Article to be imposed upon the Rajah by Compulsion."—"I only proposed it as an Article of Speculation."

Sect.

Sect.

ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

Sect. 19.

The Pottah relates to the Payment of the Tribute, and to the Principle of its Calculation.

1776, July 29.

Fowke to the Council.
Minute of Council.
Council to Mr. Fowke.

- 72 Cheyt Sing refuses to accept these Instruments, because of an Erasure (of "Mutchulka") in them; and because of the Clause "annulling the former Sunpuds." He offers to return the old Sunnuds on Receipt of the new ones. The Council thereupon order a new Sunnud and Pottah to be prepared, with an Omission of the Clause objected to by Cheyt Sing. The Council direct Mr. Fowke to receive back the temporary Grants delivered by him to the Rajah upon his Arrival at Benares.

Sect. 20. "Which voluntary Restraint was proposed by Mr. Hastings, and laid "by the Government upon its own Actions," &c. (as in the following Minute).—Art. Pa. 4.

1775, June 12.

Mr. Hastings's Minute.

- 54 Upon his 5th Proposition, that no further Demands shall be made upon the Rajah, (Supra, Pa. 15. Sect. 18.) Mr. Hastings observes, that "The voluntary Restraint laid by "the Government on its own Actions will afford the Rajah the greatest Confidence, and "naturally inspire him with Sentiments of Fidelity and Attachment both from the Principles of Gratitude and Self-interest; without some such Appearance, he will expect with "every Change of Government additional Demands to be made upon him, and will of "course descend to all the Arts of Intrigue and Concealment practised by other dependant "Rajahs, which will keep him indigent and weak, and eventually prove hurtful to the "Company. By proper Encouragement and Protection he may prove a profitable Dependant, a useful Barrier, and even a powerful Ally, to the Company; but he will be "neither, if the Conditions of his Connection with the Company are left open to future "Variations."

Sect. 21. The Article proceeds to charge that Mr. Hastings, in June 1775, proposed that Cheyt Sing should engage to maintain a Body of 2000 Cavalry, for which the Company were to pay 15 Rupees per Month for each Private, and for the Officers in Proportion, so long as they continued in the Company's Service.—Art. Pa. 4.

22. That Mr. Hastings then declared it to be far from his Intention to propose this, or any other Article, to be imposed upon the Rajah by Compulsion.

23. And the Board resolved to recommend the Measure to Cheyt Sing, but that there be no Obligation upon him to adopt it.—Art. Pa. 4.

21.

1775, June 12.

Mr. Hastings's Minute.

- 54 The 4th Proposition of Mr. Hastings's Plan of Settlement with Cheyt Sing is couched in the Words of the Article and the Answer to it, beginning with "that in the Return for "these Concessions," &c. Upon which he observes, "that the additional Pay will make "them" (the Cavalry) "our own when we want them."

22.

1775, July 5.

Secret Consultation.

- 56 In the Discussion of the above Proposition, the Majority object to the compelling of the
57 Rajah to maintain Cavalry. Mr. Hastings says, "It was far from my Intention to propose "this or any other Article to be imposed upon the Rajah by Compulsion."—"I only "proposed it as an Article of Speculation."

Sect.

Introductory Matter. Rights of Cheyt Sing.

Sect. 19.

The Council relative to recommend it to Cheyt Sing, but that there be no Obligation on him to do it.

Mr. Powke's Instructions relative to the Cavalry follow the Sense of the Debate. He is directed to recommend the Measure to the Rajah, but the Council cannot authorise Mr. Powke to insist upon it. They should not but the Rajah will agree to it, and it must be left to his Opinion to keep up or reduce his present Military Establishment.

Sect. 20. The Article then debated, I put by ye ayes and ye nays after Adj. Agree- ment. I moved for the Rajah was under the Authority of the Company, secured in the unqualified Government of his Kingdom, subject to no limitation on any Treaty above the Payment of his stipulated Tribute.

Sect. 20. Mr. Hastings allows, that he did in Effect declare, in proposing the said Plan, that the voluntary Restraint which the Government would, if the same were carried into Execution, lay on its own Actions, was calculated to produce the Effects mentioned in the Article.—Ans. Pa. 6.

Lord Cornwallis upon the Report of the Committee to the Rajah, above their Lordships, says he spoke (the Rajah) and now, I repeat, the Rajah is under the Authority of the Company, and the Rajah will agree to it, and it must be left to his Opinion to keep up or reduce his present Military Establishment.

Mr. Hastings moves, and it is resolved, That Mr. Powke be directed to recommend the Measure to the Rajah, but the Council cannot authorise Mr. Powke to insist upon it.

The Managers prove by the following Evidence who appointed that Resolution.

Mr. Hastings moves, and it is resolved, That Mr. Powke be directed to recommend the Measure to the Rajah, but the Council cannot authorise Mr. Powke to insist upon it.

Sect. 21. Says, he proposed as part of his said Plan, that in return for certain Concessions to be made to Cheyt Sing, and for the Performance of his Duty as a Vassal, he should maintain a Body of Cavalry as mentioned in the Article.—Ans. Pa. 6.

Sect. 22. Says that he did not then make the Declaration, stated in the Article, but that he made it at a subsequent Period, viz. in July 1775.

Sect. 23. Admits the Resolution of the Board, as stated in the Article.—Ans. Pa. 6.

Mr. Hastings moves, and it is resolved, That Mr. Powke be directed to recommend the Measure to the Rajah, but the Council cannot authorise Mr. Powke to insist upon it.

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ARTICLE FIRST, BENARES.—PROSECUTION.

Introductory Matter. Rights of Cheyt Sing.

Sect. 23.

The Council resolve to recommend it to Cheyt Sing, but that there be no Obligation on him to do it.

1775, Aug. 24.

Council to Fowke.

Mr. Fowke's Instructions relative to the Cavalry follow the Sense of the Debates. He is directed to recommend the Measure to the Rajah, but the Council cannot authorize Mr. Fowke to insist upon it. They doubt not but the Rajah will agree to it, and it must be left to his Option to keep up or reduce his present Military Establishment.

Sect. 24. The Article then deduces, That by these and various other Acts, Agreements, Treaties, &c. the Raja was, under the Authority of the Company, fully secured in the uncontroled Government of his Zemindary, subject to no Demand, on any Pretence, above the Payment of his stipulated Tribute.

25. That Mr. Hastings was bound strictly to adhere to these and all other Treaties, &c. which subsisted between the Company and the Rajah, or to which they were Guarantees.—Art. Pa. 4.

24. 25.

Lord Cornwallis's Examination.

2721 Lord Cornwallis, upon the Liability of the Zemindars to furnish Military Aid, above their
2724 Rents, says, he spoke (see opposite), not upon Inquiry into the Laws, but as he understood the Custom. His Lordship never called upon any Zemindar for any such Aid. Says, it is certainly understood that no such Aid could be required from the Zemindars within the Provinces. See this Subject, Supra, Pa. 3.

6. It having been argued, that the Appointment of a Resident at Benares changed the Nature of Cheyt Sing's Tenure,

The Managers prove by the following Evidence who appointed that Resident.

1776, Dec. 2.

Debate of the Council.

61 Mr. Hastings moves, and it is resolved, That Mr. Fowke be recalled from Benares, the express Purposes of his Commission having been accomplished. Mr. Barwell supports the Motion, observes that the Measure cannot be termed a Removal, as Mr. Fowke holds no Appointment. General Clavering considers it a vindictive Matter.

1776, Dec. 23.

Debates of the Council.

Very soon afterwards, Mr. Hastings moves, and it is resolved (dissentient Francis and Clavering), that a Resident be appointed at Benares, in the Person of Mr. Graham, to transact any occasional Business which may arise between Government and the Rajah, and that Mr. Barwell be Mr. Graham's Assistant.

1778, Jan. 30.

Directors to the Council.

1779, May 29.

Directors to the Council.

1780, Feb. 14.

Minute of Council.

62 The Directors censure the recalling of Mr. Fowke, and the increased Expence by nominating two in his Stead. They conclude it to be merely a Pretext to make Way for Messrs. Graham and Barwell, and they command the Reinstatement of Mr. Fowke; instead of fulfilling, Mr. Hastings suspends their Orders. The Directors are excessively displeased, and again injoin immediate Obedience. It is agreed (Mr. Barwell absent) to reinstate Mr. Fowke.

1781, Jan. 14.

Mr. Hastings's Minute.

Mr. Wheler's Minute.

Minute of the Council.

280 But, a few Months before Mr. Hastings's Journey to Benares, he and Mr. Wheler alone comprising the Council, Mr. Hastings claims the Right of nominating an Agent of his own Choice to be Resident at Benares. Mr. Fowke, he says, is not his Agent, and he cannot give him his Confidence; he is rather a screen to the Raja than an Instrument of Controul. Mr. Hastings moves and carries his Recal. Mr. Markham and Mr. Benn, on the Motion of Mr. Hastings, are appointed in his room. To indemnify Mr. Fowke, Mr. Hastings gives him an Agency, with a Commission of £. 15 per Cent. upon his Disbursements, and impowers him to draw 1000 Rupees a Month until he takes Charge of the Office, and for 3 Months following.

First Demand of Five Lacks.

Sect. 26. The Article then proceeds to the substantive Crimes charged, and states,

(A.) That Mr. Hastings, in direct Breach of his Duty, his Trust, and of existing Treaties,

(B.) —and, with a View to distress and ruin Cheyt Sing, in Consequence of preconceived Malice,

(C.) under pretence of a War in Europe,

(D.) of

Introductory Matter. Rights of Cheyt Sing.

Sect. 23.

(D.) of which he had any authentic Account.
(E.) and when the Treasury of the Company was unduly full.
(F.) and when no general Levy or Contribution was made upon other Persons in similar Situations.
(G.) did in July 1778, require that Cheyt Sing should furnish a Balance Sheet of his own Affairs, for the Service of the Company.

Sect. 24. Denies that Cheyt Sing was secured in the Manner, and to the Extent, stated in the Article.

25. Admits he was bound to adhere to every Treaty, &c. subsisting between the Company and the Rajah, so long as the Rajah should faithfully discharge the Duties resulting from his Relation to the Company.—Ans. Pa. 7.

24. 25.

Major Osborne, being asked whether it is usual in Hindostan for Sovereigns to demand from their Zemindars Military Assistance in Time of War, in Troops or Money, answers, that he never knew it otherwise; and he gives an Instance in the Person of Rajah Purnea Sing, who told Major Osborne that he was called upon by virtue of his Tenure to serve against Suja Dowla. Lord Cornwallis being asked whether the tributary Chiefs and Zemindars of considerable Districts and Provinces in India were liable by their Tenure, under the Mogul Government, to afford Military Aid to their Sovereign upon his Requisition, in Time of War, says, he believes they generally were held liable. See this Subject, Supra, Pa. 4.

Examination of Major 1668
Osborne.

Examination of Lord 2720
Cornwallis.

First Demand of Five Lacks.

Sect. 26. In answer to the Charge of extorting from Cheyt Sing the first 5 Lacks,
(A.) Mr. Hastings denies that he made the Proposition in Breach of any Duty, Trust, or Treaty,
(B.) or from any of the criminal Motives charged upon him.
(C.) Says, that on the 7th July 1778, Intelligence was received of a War between Great Britain and France;
(D.) which

First Demand of Five Lacks.

- (D.) of which he had not any authentic Accounts,
 (E.) and when the Treasury of the Company was unusually full,
 (F.) and when no general Levy or Contribution was made upon other Persons in similar Situations,
 (G.) did, in July 1778, require that Cheyt Sing should furnish 3 Battalions of Sepoys at his own Expence, for the Service of the Company;
 (H.) and did extort from him 5 Lacks of Rupees, under Pretence of paying for the same.—Art. Pa. 4, 5.

Sect. 26 (B.)

- Mr. Hastings's Defence before the House of Commons. 24 bottom. With Respect to the Malice charged, Mr. Hastings says in his Defence in the House of Commons to the Benares Article, "I was warranted in styling him" (General Clavering) "my Opponent, and warranted in treating every misplaced Mark of Homage to him as a personal Disrespect to myself:—when, therefore, I affirmed that Cheyt Sing had deputed an Agent, with an exprefs Commission to compliment General Clavering on his Accession to the Government, I affirmed a Fact certainly criminal and offensive to the Company's Government, inasmuch as it was an officious and premature Interference on the Part of the Raja.—Whether or not I personally forgave him, is of no Consequence; I never sought to punish him but on public Grounds. And had he faithfully discharged his Duty to the Company, he would never have heard a Syllable of my Repentment."—
- 25 upper part. "So long as I conceived Cheyt Sing's Misconduct and Contumacy to have *me* rather than the Company for its Object, at least to be merely the Effect of pernicious Advice or misguided Folly, without any formal Design of openly resisting our Authority or disclaiming our Sovereignty, I looked upon a considerable Fine as sufficient both for his immediate Punishment and for binding him to future good Behaviour."
- 28 top.
- Examination of Mr. Markham. 1736 Owfan Sing was particularly obnoxious to Cheyt Sing upon an Affair of Gallantry with the Rajah's Mother.
- Benares Narrative. 110 upper part. The Rajah expressed his Apprehensions of him when he met Mr. Hastings at Buxar. Mr. Hastings then assured Cheyt Sing that he had not seen Owfan Sing, and that he should not descend to be a Party in his Family Disagreements. On the Instant of Cheyt Sing's Expulsion from Benares, Mr. Hastings appointed Owfan Sing, Naib of the Province; but afterwards, in the Settlement upon Doorbegy Sing's Dismissal, Mr. Hastings expressly forbid Mr. Markham to make Choice of him.
- 1782, Sept. 29. Mr. Hastings to Markham. 119 middle. 299
- Mr. Hastings's Defence before the House of Commons. 26 "Mr. Hastings says, "If I pretended to seize upon his" (Cheyt Sing's) "Forts, it was in full Conviction that a Dependant on the Company, guaranteed, maintained, and protected in his Country by the Company's Arms, had no Occasion for *Forts*, had no Right to them, and could hold them for no other than suspected and rebellious Purposes."
- 1775, Mar. Nuncomar's Charges. 1002 Mr. Hastings himself allowed Cheyt Sing to keep the Fort of Bidgegur, usurped from the Province of Bahar. He also declared the Country of Cheyt Sing to be a strong Barrier to the Company's, and that the Company might depend upon him as a sure Ally, whenever they might stand in Need of his Services.
- Mr. Hastings's Answer to them. 1022 40
- 1773, Oct. Mr. Hastings's Report.

(C.) (D.) (G.)

- 1778, July 9. Minute of Mr. Hastings. 64 Upon Intelligence received of a War with France, which Mr. Hastings states to be a Fact of undoubted Certainty, he delivers in a Plan of Security. Bengal, he says, will be their last Object.
- 66 He intended to have entered into other Details, immediately required for the internal Defence of these Provinces, but he can now only state the most urgent.
1. To form three additional Battalions of Sepoys.
2. That

First Demand of Five Lacks.

- (D.) which the Council deemed authentic.
- (E.) Denies that the State of the Treasury was such as to render the Measure unnecessary;
- (F.) or that there were any Persons in the Situation of Cheyt Sing, upon whom any Levy could or ought to have been made.
- (G.) Says that he did on the 9th propose, amongst other Measures, and the Board did accordingly resolve, "that Rajah Cheyt Sing should be required to contribute," &c. in the Words of his 2d Proposition. See Pa. 25. In pursuance of which Resolution he wrote, on the 11th, to Cheyt Sing, the Letter cited in the Answer, See infra, Pa.
- (H.) And that he did receive from Cheyt Sing an Answer thereto, cited by the Managers (P. 29.), which, on the 17th August, he laid before the Board, and at the same Time informed them, as the Fact was, of the Assurances of the Rajah's Vackeel, of his Master's Attachment to the Company, and of his Acquiescence in the Requisition of a Subsidy equal to the Expence of 3 Battalions of Sepoys, which the Vackeel would have fixed at 3 Lacks, but Mr. Hastings having told him it must be 5, the Vackeel consented to the Payment of it for one Year, alledging that his Authority went no further.

And it was unanimously resolved, that the Rajah's Subsidy for the Maintenance of 3 Battalions of Sepoys during the War, should be fixed at 5 Lacks annually, and that he should be immediately required to pay that Sum.

Which Resolution was communicated to Cheyt Sing, who, after various Attempts to delay Payment of the Sum on the Plea of Inability, at length paid it.—Ans. Pa. 7, 8.

SECT. 26. (B.)

Major Osborne always thought Mr. Hastings was particularly partial to Cheyt Sing.

Examination of Major 1689
Osborne.

Mr. Markham was directed by Mr. Hastings, prior to his going up to Benares in the Year 1781, to avoid the Conduct of Mr. Graham, which, Mr. Hastings thought, was harsh towards Cheyt Sing. He never discovered any thing in the Conduct or Words of Mr. Hastings, which indicated Malice against Cheyt Sing.

Examination of Mr. 1690
Markham. 1768

Major Popham says, that Mr. Hastings's Conduct towards Cheyt Sing was the very Reverse of Malice.

Examination of Major 1802
Popham.

(C.) (D.) (G.)

To shew the Authenticity of Mr. Hastings's Intelligence of a War with France;

The Counsel examine Lord Stormont, who proves that he communicated, in Confidence to Mr. Elliot, the secret Machinations of the French against our Possessions in the East; Mr. Elliot was to inform Mr. Hastings and General Clavering, which he accordingly did.

Examination of Lord 1476
Stormont. to.
1478
1777. Elliot to Council.

From Mr. Baldwin's Correspondence with the Council it appears, that about the Middle of April, a French Tartan brought News, from Coron in Mecca, of a War between England and France, which News reached Mr. Baldwin on the 27th of April. He then states a full Confirmation of this Report on the 2d of May, by the Advices which arrived to the French

1778, May 4. 1478
Baldwin to the Council.
1479

First Demand of Five Lacks.

Sect. 26. (C.) (D.) (G.)

2. That Cheyt Sing be required to contribute his Share of the Burthen of the War, by consenting to the Establishment of three Battalions of Sepoys at his own Expence.

3. To re-establish the Militia Corps for the Defence of Calcutta.—4. To increase the Marine Establishment, &c. for the Protection of this Fort and its Commerce.—5. To guard the Entrance of the River.—6. That the Commander in Chief be requested to furnish a Plan of Defence.

67 7. This Proposition he offers with Diffidence. He says, "The War having been notified to us, though not by Authority, yet confirmed by Evidence of such Strength as to amount to a Degree of Certainty next to absolute, shall we proceed upon it as upon the Grounds of a War declared and notified in all its Forms? Or, shall we wait the Confirmation of it, which it is probable we may not receive for this Month or six Weeks yet to come." He states the Consequence of determining in the Affirmative to be the Commencement of Hostilities at Chandernagore.

1778, July 9.
Debate of the Council.

The 1st Question is agreed to.

Upon the 2d Question, Mr. Francis, supposing Colonel Leslie's Detachment will not soon return, acquiesces; but he thinks the Rajah should be informed that the additional Charge shall not be imposed beyond the Continuance of the War. Mr. Hastings agrees with Mr. Francis. But, perceiving a Disagreement to exist, as to the Right to exact, under any Pressure of Affairs, more than the Sum stipulated by the Sunnud granted by Cheyt Sing and the Cabooleat given by him in Return, he adheres to the Question, and wishes to leave the Decision of future Right to the Directors. He deems it a Right in every Government to impose such Assessments as it judges expedient, and Government are not precluded by any subsisting Engagement with the Raja. Mr. Wheler, avoiding the Question of Right, acquiesces with Mr. Francis. Mr. Barwell supposes Revenue and Military Force to be annexed to the Grant of Benares. Any Military Establishment, independant of the English Administration, may be turned against the Interest of the Company. He agrees to the Proposal. The Council resolve in the Words of the Proposition.

68 The 7th Question is resolved in the Affirmative.

(E.)

1778, Aug. 10.
Debates of the Council.

78 In answer to Mr. Francis's Proposal to raise a Loan, (see opposite) Mr. Barwell says, the reduced State of the Treasury is merely ideal; states the Amount of unapplied Cash at 1.05.20.000 Rupees.

82 Mr. Hastings produces an Estimate of the probable Receipts and Disbursements for the
83 whole Year. He believes that the real will not exceed One Half of the estimated Expences: "but," he says, "even if they be taken much higher, the expected Balance will be at least two Crores of Rupees, a Sum excluding every Idea of Distress, and of the consequent Necessity of borrowing Money to relieve it."

86 Mr. Francis supports his Proposition, upon the actual State of the Calcutta Treasury,
87 and upon the Supposition of an Invasion of Bengal. Mr. Barwell and Mr. Hastings oppose the Loan upon a Calculation of the Company's present Opulence.

(F.)

See infra, Reply, Pa.

Sect.

ARTICLE FIRST, BENARES.—DEFENCE.

26

First Demand of Five Lacks.

Sect. 26. (C.) (D.) (G.)

French Merchants at Cairo, where he resided, and by the Credit given to it by all the English at the same Place.

1480

The same Intelligence is transmitted from Madras and Bombay to the Presidency. The Government of Bombay consider the News to be, next to a Certainty.

The 1778, June 25. 12.

Fort Saint George, and
Bombay, to the Council.

(E.)

With respect to the State of the Treasury, the Defendant's Counsel produce,

Mr. Francis's Proposition of Defence for Bengal on account of the War, which the Council deem inevitable. Considering the present Emergency, and the actual State of the Treasury, he thinks the Company should borrow 50 Lacks. He states the Balance in the Treasury at 5,22,840 Ct. Rs. On the 24th of July the Subject is resumed. Mr. Wheeler is of Opinion the Loan is a very necessary and judicious Measure. They resolve to consider the Subject again; and it is resumed, on the 10th of August, in the Manner stated opposite.

1778, July 23, 24.

Debates of the Council.

1492

1495

1501

(F.)

The Measures resolved upon, in consequence of the News of a War, were general Measures of Provision against Hostilities.

To recommend to Fort Saint George to attack Pondicherry, and to form an Alliance with Hyder.

1778, July 7.

Council to Fort Saint
George.

1481

Mr.

ARTICLE FIRST, BENARES.—PROSECUTION.

First Demand of Five Lacks.

(G.) Sect. 26. (F.)

The same Intelligence is transmitted from Madras and Bombay to the Government of Benares, and the Government of Benares consider the News to be, next to a Contingent.

Mr. Francis's Proposition of Defence for Benares on account of the War, which the Council deem inevitable. Considering the present emergency, and the actual state of the Treasury, he thinks the Company should borrow 5 Lacks. He places the balance in the Treasury at 5 Lacks. On the 24th of July the Subject is resumed. Mr. Webster is of Opinion the Loan is a very necessary and judicious Measure. They resolve to contribute 500,000 Rs. and it is returned on the 1st of August in the manner which is opposite.

(H.)

The Demand of 3 Battalions was converted into a Demand of 5 Lacks; one of the Council dissenting materially, upon the Question of Right.

1773, Aug. 17.
Mr. Hastings's Minute.

73 Mr. Hastings states the Conversation between him and Cheyt Sing's Vakeel, in which the Rajah consented to the Demand, in Substance, as represented in his Answer. (Pa. 24. (H.)) Mr. Hastings also produces Cheyt Sing's Letter on the same Subject, containing a general Profession of Obedience, and a promise to write again. On the Grounds

First Demand of Five Lacks.

Sect. 26. (F.)

Mr. Hastings submits his Plan of Defence to the Board. Bengal, he says, will be the last Object of the French. Fort Saint George or Bombay will be their first. Fort Saint George possesses complete Means of Defence within itself. Bombay requires every thing. The French will probably endeavour to establish themselves at Poona, to form a Re-union with the Mahratta States, and afterwards to attack Bombay. He therefore recommends to form an Alliance with Moodajee Boolla, a Mahratta Chief, to counteract the French at Poona.

Then follow the seven Propositions and the Debate upon them, cited by the Managers. Pa. 25.

The Council direct the investing of Chandernagore; the Seizing of the French Pilots; of the French Factories: require from the Dutch and Danes not to conceal or protect French Property; countermand their Orders to Colonel Leslie, and direct him to march to, but not to pass, the Province of Berar.

1778, July 9.
Mr. Hastings's Minute. to
Minute of the Council. 1483
Council to Mr. Hastings. 1484

1484

1778, July 9.
Council to Dow. 1486
Council to Robinson. 1487
Circular Letter. 1488
Council to the Dutch, and Danish Settlements. 1489
Council to Leslie. 1490

Mr. Francis brings forward a Plan of Defence for Bengal, which Mr. Hastings postpones, he himself designing to submit one to the Board as soon as he could obtain the necessary Information from the proper Officers. Mr. Wheeler presses the immediate Necessity of providing an adequate Defence for the Safety of the Provinces.

1778, July 23.
Debates of the Council. 1492
1494
1495

A Variety of Documents of Information are recorded upon this Subject, and the Council pass several Resolutions for general Preparation and Defence.

Commander in Chief to Mr. Hastings. 1494
Chief Engineer to Mr. Hastings. 1495
Council to Sir Edward Vernon. 1496
Commandant of Artillery to Mr. Hastings. 1497

Mr. Hastings pursues the Explanation of his Plan, and proposes a general Augmentation of Force, not only at Calcutta, but also at the other provincial Stations of Patna, Buxar, &c. &c. which is voted and distributed; and Notifications thereof are transmitted to the several Chiefs.

1778, Aug. 4.
Minute of Mr. Hastings. 1487
to 1490

The Council apprise the Directors of the Intelligence of War and the Measures adopted in consequence. They mention the Increase of their Military to nine Battalions, and their Determination to oblige Cheyt Sing to raise three of them by Means of a Subsidy of 5 Lacks per Annum.

1778, Aug. 17.
Council to Directors. 1491
1492
1779, April 14.
Directors to the Council.

By the following Letter from Mr. Hastings, Cheyt Sing was called upon, as a Part of the above general Measures, to raise three Battalions.

1778, July 11.
Mr. Hastings to Cheyt Sing. 1501

War having been declared between England and France, he requests Cheyt Sing, in his own Name, and that of the Council, as a Subject of the Company, to contribute his Share towards the War, by raising three Battalions of Sepoys to be commanded by British Officers. He hopes that the Rajah will regard this Measure equally conducive to his own and the Company's Interest, and that he will intimate his Consent.

(G.) (H.)

The Demand of 3 Battalions being resolved to be commuted for a pecuniary Aid of 5 Lacks,

Mr. Hastings acknowledges to Cheyt Sing the Receipt of his Consent to the Requisition for 3 Battalions. He acquaints the Rajah that the Council have fixed the Expence thereof at

1778, Aug. 13.
Mr. Hastings to Cheyt Sing. 1502

First Demand of Five Lacks.

Sect. 26. (H.)

Cheynt Sing to Mr. Hastings.
Minute of the Council.
Council to Mr. Graham.

1778, Sep. 14. 28.
Graham to the Council.
Cheyt Sing to Mr. Hastings.

Minute of Mr. Hastings.
Council to Graham.

1778, Oct. 10. 12.
Hastings to the Secretary.
Council to Graham.

Grounds of the Rajah's Content being limited in the said Conversation, and eluded in his written Answer, he moves, and it is resolved, to fix the Annual Subsidy for 3 Battalions at 5 Lacks. The Resident is directed to demand immediate Payment of this Sum, for the present Year.

74 Upon Mr. Graham's Representation, that Cheyt Sing had not yet paid a Rupee of the Subsidy, but desired to pay the same by Monthly Payments; and upon Cheyt Sing's own Letter to Mr. Hastings to the same Effect, strongly pleading his Inability to pay the Whole at once, the Secretary, at Mr. Hastings's Request, authenticates Mr. Hastings's Statement of the former cheerful Acquiescence of the Rajah, by his Vackeel, to contrary to the Tardiness shewn by him now. Mr. Hastings moves, and it is resolved, That the Resident do demand Payment within five Days, and on Refusal or Neglect, that he do hold no further Intercourse with the Rajah.

78 These Proceedings draw from Cheyt Sing the Payment of this Year's Subsidy. On the 10th of October, the Receipt of it is acknowledged by Mr. Hastings, through the Hands of the Vakeel.

Previous to the Resolution just mentioned, a Discussion took place relative to the Right.

1778, Sep. 28.
Debates of the Council.

75 Mr. Francis asks, how it appears that the Rajah has consented to this Demand? Mr. Hastings refers to the Conversation, already cited, between him and the Rajah's Vackeel. He intimates his Knowledge that Cheyt Sing procrastinated the Payment, in Expectation of a Change in the Council which would repeal the Demand. Mr. Francis, in reply, says, he did from the first express a Doubt upon the Right to increase Demands upon the Rajah, beyond the Terms of the original Settlement with him. If such Demands can be increased at the Discretion of the Superior Power, the Rajah has no Rights. It appears that the Engagements made by the Vackeel have not been confirmed by his Master. The Rajah should have Time granted. Mr. Hastings is confident of the Rajah's Ability to pay ten Times the Sum demanded. He will consent to pardon his past Contumacy and Disobedience on Condition of his paying the whole Sum in three Months, from the Commencement of the Demand. Mr. Francis quotes a Part of Mr. Fowkes's Instructions of the 24th Aug. 1775; (cited Supra Pa. 15.) to shew that the Board cannot increase their Demands upon the Rajah. Mr. Hastings confines the Interpretation of Mr. Fowkes's Instructions to the fixed and annual Revenue. Mr. Francis dissents.

Second Demand of Five Lacks.

Sect. 27. (A.) And further, Mr. Hastings in 1779, extorted a like Sum of 5 Lacks from Cheyt, under similar Pretences,

(B.) and compelled Payment by a Military Force:

and also extorted £. 2000 besides, under Pretence of paying for the same.—Art. Pa. 5.

Sect.

First Demand of Five Lacks.

Sect. 26. (G.) (H.)

at 5 Lacks; and that they have fixed his annual Subsidy at this Rate. He requires Cheyt Sing immediately to Pay 5 Lacks to the Resident.

Mr. Graham, the Resident, also demanded the Sum; but Cheyt Sing greatly delayed the Payment. On the 14th September he had not paid a single Rupee, and then urged his Inability. On the 22d he paid 50,000 Rupees, and promised more on the following Day. On the 28th the Board made a more peremptory Demand. On the 7th October the Resident complained to the Board of the Rajah's Breach of Promise, and apprized them of his Declaration, that he would pay the Remainder to his Vakeel at Calcutta. On the 10th, the Vakeel paid the Residue of the 5 Lacks to Mr. Hastings.

1778, Aug. 29. 1502
Sep. 14. 22. 1503
Graham to the Council.
1778, Sep. 28. 77
Council to Graham.
1778, Oct. 7. 1504
Graham to the Council.
1778, Oct. 16. 1505
Mr. Hastings to the Secretary.

Upon the Rajah's shewing a Design to liquidate the Demand,

Mr. Hastings expresses to the Rajah the Pleasure he derives from the Rajah's Assent to pay the Money all at once at Calcutta, agreeably to Mr. Hastings's Desire, although it arrived somewhat late; assures him, that whilst he continues attached to the Company every Measure shall be adopted for his Welfare.

1778, Oct. 11. 1504
Mr. Hastings to Cheyt Sing.

And notwithstanding the Rajah's Disobedience,

He received the Investiture of the Khelaut—Mr. Graham reminding him at the Time, how much such Marks of Favour depended upon his regular Adherence to his Engagements with the Company.

1778, Nov. 9. 1505
Graham to the Council.

Second Demand of Five Lacks.

Sect. 27. (A.) In July 1779, Mr. Hastings says, it was agreed, on his Motion, to require from Cheyt Sing 5 Lacks as his Share of the Expence of the War for the current Year.

and to write to the Rajah in the Terms of the Evidence. Pa. 31.

Infists Cheyt Sing was bound, and was able to comply with the Demand.

(B.) Notwithstanding, Cheyt Sing falsely alledged, that it was out of his Power to raise the Sum, and withheld Payment.

And the Resident having desired further Instructions in consequence of Cheyt Sing's still holding to his first Refusal,

it became Mr. Hastings's Duty to enforce the Payment; and it was resolved in Council, that on the Requisition of Mr. Graham, the Commander in Chief should order two Battalions of Sepoys to Benares, to wait the Orders of the Board, and that the Expence of the Detachment from its March, should be paid by the Rajah;

that

Second Demand of Five Lacks.

(H) Sect. 27.

Mr. Hastings, the Resident, also demanded the sum; but Cheyt Sing greatly delayed the Payment. On the 14th September he had not paid a single Rupee, and then urged his Inability. On the 28th the Board made a more pressing Demand. On the 10th October the Resident complained to the Board of the Rajah's refusal to comply with the Demand. On the 11th Declaration that he would pay the Demand was made. On the 12th the Resident paid the Demand of five Lacks to Mr. Hastings.

27 (A.)

1779, July 19.
Mr. Hastings's Minute.
Council to Graham.

1779, Aug. 17.
Cheyt Sing to Mr. Hastings.

87 Mr. Hastings introduces his second Demand of 5 Lacks from Cheyt Sing, for this Year, upon the Grounds of the Resolution for the Demand in the preceding Year. The Council agree to it, and Mr. Graham is ordered to Demand from Cheyt Sing a Remittance to them of 5 Lacks for the current Year, the War still continuing. Cheyt Sing addresses Mr. Hastings, and strongly presses his Inability to pay it. Reminds Mr. Hastings of his Promise, that he should not be called on in future if he would pay the last Demand. He hopes Mr. Hastings will excuse him, and that nothing may be demanded beyond his Pottah.

(B.)

1779, Aug. 26.
Minute of Mr. Hastings.
Minute of the Council.
Council to Mr. Graham.

89 A Motion immediately proceeds from Mr. Hastings, and (dissentient Mr. Francis and Mr. Wheler) it is resolved, that the Commander in Chief be requested to order Major Camac to march two Battalions of Sepoys to Benares, on the Requisition of Mr. Graham; who is instructed to repeat his Demand upon the Rajah, and in case of Noncompliance, to require the march of the Detachment, which, the Council hope, will not become necessary, as the Rajah must pay the Expence of it.

1779, Sep. 20.
Cheyt Sing to Graham.
Cheyt Sing to Mr. Hastings.

1779, Sep. 25.
Mr. Hastings to Cheyt Sing.

91 A second and a third Letter Cheyt Sing writes to Mr. Graham, and to Mr. Hastings, urging his Inability; entreating to be excused from the Requisition; alledging the Discharge of the Revenue agreeably to his Pottah. Mr. Hastings answers him, that the Demand is occasioned by the heavy Expence of the War: that instead of a cheerful and dutiful Compliance, he protracts and evades Payment, under the Plea of Inability, which is well known to be futile. He reminds the Rajah, that he had acquainted him with the above Resolution; and he now tells him that the Detachment is under Orders to march.

1780, Jan. 14.
Council to Directors.

90 The Detachment did march, as appears from the Intelligence given by the Council to the Directors.

Upon which, Cheyt Sing paid the five Lacks, and 20,000 Rupees besides, for its Expences.

89 In the Discussion at the Council Board, upon the Demand of this Year, Mr. Francis again avows his Disapprobation of the additional Demand beyond Cheyt Sing's stipulated Tribute; and he cannot concur in the Measure. He predicts the evil Consequence of rigorous and inequitable Treatment. But, Mr. Hastings denies the Value of the Acquisition of Benares, if Cheyt Sing is to maintain himself as an independant tributary Prince.

R E P L Y.

The Counsel having relied upon the Assent of Mr. Wheler and Mr. Francis to these Demands upon Cheyt Sing, as a Part of the Defendant's Justification,

The

Second Demand of Five Lacks.

Sect. 27.

that the Rajah should be, and he was, acquainted with these Resolutions; that Mr. Graham should repeat his Demand, and in case of Refusal, that he should order the Detachment to march.

The Rajah promised Payment, but, notwithstanding, he renewed his false Pretence of Inability, to the Injury of the public Service;

whereupon the Resident required the March of the Detachment;

in Consequence whereof, the 5 Lacks were paid in full, together with the Expence of its March. Anf. Pa. 8.

27. (A.)

The Council agree to request the Governor General to write to Cheyt Sing, and he accordingly desires, that Cheyt Sing,—his annual Engagements being expired, the War continuing, and the same Force being necessary,—will pay a further Sum of 5 Lacks, for the present Year.

1779, July 19.
Minute of the Council. 1506
Mr. Hastings to Cheyt Sing.

Mr. Graham also makes the same Demand, and repeats it many Times; but finding the Rajah to persist in his Declarations of Inability, Mr. Graham writes to the Council for Instructions.

1779, Aug. 16.
Graham to the Council.

(B.)

The intended compulsory Means against the Rajah, are notified to him by Mr. Hastings himself.

He tells him he is astonished at his Refusal, and pretended Plea of Inability. Insists on immediate Payment, without Evasion, to Mr. Graham, who has Orders to summon two Battalions in case of Noncompliance, the Expence of which must fall on Cheyt Sing. Notwithstanding this, and the reiterated Applications and Arguments of Mr. Graham, and Cheyt Sing's own Promise at last to pay the Money, yet he breaks his Promise, and still persists in his Inability, and requests Time to liquidate the Demand. Therefore, Mr. Hastings, considering Cheyt Sing's Ability as undoubted, and his Conduct evasive, moves, and it is resolved, and Directions are pursuantly given to the Commander in Chief, that Major Camac do immediately march towards Benares, and continue his Route, unless stopped by Mr. Graham, who, as well as Cheyt Sing, is informed of this Step. On the 3d October, Cheyt Sing had not paid one Lack: Mr. Graham ordered Major Camac to march to Benares. On the 12th, he had paid only 1,19,000 Rupees. On the 19th, the Detachment arrived, on which Day the Rajah completed Payment of Half the Subsidy. On the 22d, he paid the Whole, and the Expence of the Detachment.

1779, Aug. 18.
Mr. Hastings to Cheyt Sing. 1507

1779, Sep. 10. 12. 16. 17. 25.
Graham to the Council. 1508
Minute of Mr. Hastings. 1509
Cheyt Sing to Graham. 1510
Cheyt Sing to Mr. Hastings.

1779, Oct. 3. 12. 19. 20. 22.
Graham to the Council. 1511
1512

1780, January 14.
Council to Directors.

Second Demand of Five Lacks.

Sect. 27.

REPLY.

1779, Sep. 29.

Minute of Mr. Wheler.

2482

The Managers read the Minute of Mr. Wheler, dissenting to the Orders for marching the Detachment to Benares, to compel Cheyt Sing to pay this Year's Subsidy. He says, "I object to the above Orders."

The Managers having produced the above Letter of the 14th January, 1780, as Mr. Hastings's Letter, and the Counsel having produced the same Letter, (Prin. Min. Pa. 1512) to shew that it was written when Mr. Wheler and Mr. Francis formed a Majority, Mr. Barwell's Signature not appearing,

1780, Jan. 14.

Council to Directors.

2487

The Managers now produce the original Letter itself, instead of the Triplicate before produced, whereby it appears, that the Letter was in fact signed by "Mr. Hastings, Mr. Barwell, Mr. Francis, and Mr. Wheler."

Sect. 28.

(B)

The intended compulsory Means against the Rajah, are noted to him by Mr. Hastings

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

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Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

1780, Aug. 23.

Mr. Hastings to Cheyt Sing.

Third Demand of Five Lacks.

Sect. 29.

Again, in June 1780, Mr. Hastings extorted from Cheyt Sing by similar, and other rigorous Means, particularly by Threats of a Fine of 10,000, the Payment of a like Sum of 5 Lacks, under the afore said Pretences.

Art. 15.

29.

1780, June 21.

Minutes of Mr. Hastings
and the Council.
Council to Fowke.

92

Mr. Hastings moves, and the Council agree, and Mr. Fowke the Resident is accordingly directed, to call upon Cheyt Sing, to contribute 5 Lacks for the present Year, as his Share of the Expence of the War.

1780, July 21. Aug. 10.

Fowke to the Council.

93

Chey Sing receives the Requisition with entire Submission. On the 10th August, Mr. Fowke receives one Lack, which he remits to Calcutta; but Cheyt Sing determines to pay no

Second Demand of Five Lacks.

Sect. 27.

no more; and an Answer is returned to the Letter. This Letter Mr. Hastings produces to the Council. The Rajah gains his District in strong Terms, and begs to be allowed 2 Months to pay the remaining 4 Lacks. The Council resolves to direct Mr. Powke to inform the Rajah, that they are much displeased by these affected Delays, and to require instant Payment. Mr. Powke is ordered to return the Money, when received, to Major Camac; Notice of which is on the same Day transmitted to the Major.

On the 27th September, it appears that there was a Balance due of 25,000 Rupees, which the Rajah promised to pay in a few Days.

So that on or before this Day, he had actually paid 24,500 Rupees, in Part Discharge of this Subsidy.

Mr. Powke complains, that no Part of the above Balance had been paid on the 27th of October, and that Cheyt Sing resorted to his Plea of Inability. Mr. Hastings says the Contempt shewn by the Rajah, after repeated Promises, merits the Reprimand of Government. Mr. Hastings further says, that in August 1778, Advices were sent to the Directors, of the Measures pursued by the Council upon the Intelligence of War, one of which was, the first Demand from Cheyt Sing in 1778, which Measure had been referred to the Directors, for their Decision on the Right. A Military Force is ordered immediately to Benares.

That the Directors, in December 1779, acknowledged the Receipt of such Advice, and expressed no Disapprobation of the Demand, or of the Right. Ans. Pa. 8.

Sect. 28.

The two Letters noted in the Margin, shew the Communication of this Demand to the Directors, and their Acknowledgment of the Receipt of that Communication.

1780, Jan. 14.
Council to Directors.
1781, Jan. 11.
Directors to the Council.

Upon the Point of furnishing Major Camac with this Year's Subsidy, it appears that besides the 1,00,000 Rs. already paid, he had in his Letter of the 27th of September (1780) that the balance Mr. Powke, because he had in his Letter of the 27th of September (1780) that the balance Mr. Powke, because he had in his Letter of the 27th of September (1780) that the balance

Third Demand of Five Lacks.

Mr. Hastings says, that on the 22d June 1780, the Council unanimously resolved to Demand from Cheyt Sing, a further Sum of 5 Lacks, on Account of the same Exigencies which had occasioned the Demands of the two preceding Years; and it was resolved accordingly.

And Cheyt Sing promised to comply with the Demand, but notwithstanding, he delayed Payment to the great Detriment of the public Service;

whereupon, by Order of the Council, the Resident was to inform the Rajah of the Board's Displeasure, at his affected Delays, and peremptorily to require him to discharge the Subsidy.

On the 26th October, the Rajah having paid no Part of the Balance of his Subsidy, but resumed his Plea of Inability,

the Council directed Demand to be made of instant Payment, and if the Rajah should not have paid it on Receipt of their Orders, a Fine of one Lack was to be exacted for past Disobedience:

to enforce which, the commanding Officers nearest to Benares, were directed to march thither:

meanwhile, the Board were to be informed of the Rajah's Demeanor, which, they hoped, would be such as to prevent Extremities. The Balance being discharged, the Fine was not levied. Ans. Pa. 8. 9.

29.

Mr. Hastings proposes to apply to Cheyt Sing for 5 Lacks for this Year, to be appropriated to the Payment of Major Camac's Detachment, which, now, on the intended Plan of Operations, will not be paid by the Rana of Gohud. Messrs. Francis and Wheler consider this Subsidy, as Part of the Resources for the current Year.

1780, June 12.
Mr. Hastings's Minute.
1780, June 13.
Minute of Messrs. Francis and Wheler.

The

Third Demand of Five Lacks.

Sect. 29.

1780, Aug. 21.
Cheyt Sing to Mr. Hastings.

1780, Sep. 7.
Minute of the Council.
Council to Fowke.
Council to Camac.

1780, Sep. 27.
Fowke to the Council.

no more, until an Answer is returned to his Letter. This Letter Mr. Hastings produces to the Council. The Rajah paints his Distress in strong Terms, and begs to be allowed 3 Months to pay the remaining 4 Lacks. The Council resolve to direct Mr. Fowke to inform the Rajah, that they are much displeased by these affected Delays, and to require instant Payment. Mr. Fowke is ordered to remit the Money, when received, to Major Camac: Notice of which, is on the same Day transmitted to the Major.

On the 27th September, it appears that there was a Balance due of 2,53,000 Rupees, which the Rajah promised to pay in a few Days.

So that on or before this Day, he had actually paid 2,47,000 Rupees, in Part Discharge of this Subsidy.

1780, Oct. 5.
Fowke to the Council.

1780, Oct. 19.
Minutes of Mr. Hastings
and the Council.
Council to Fowke.

Council to Stibbert.

95 Mr. Fowke complains, that no Part of the above Balance had been paid on the 5th of October, and that Cheyt Sing recurred to his Plea of Inability. Mr. Hastings says the Contempt shewn by the Rajah, after repeated Promises, merits the Repentment of Government. He therefore recommends, and the Council agree, and Mr. Fowke receives Orders, to demand instant Payment of the Balance; and, if the Rajah shall not have paid it, at the Time Mr. Fowke receives these Orders, he is to exact a Fine of One Lack for past Disobedience. A Military Force is ordered to march immediately to Benares.

1780, Nov. 2.
Minute of Council.

1780, Oct. 18.
Fowke to the Council.

96 The Council countermand this Order on the 2d of November, upon the Receipt of Information from Mr. Fowke, that on the 18th of October, Cheyt Sing had liquidated the Balance.

1780, Nov. 29.
Council to the Directors.

98 The above Occurrences are communicated to the Directors, in a Letter from the Council of the 29th of November.

Upon the Point of furnishing Major Camac with this Year's Subsidy, it appears, that besides the 1,00,000 Rs. remitted to Calcutta, a further Sum of 1,47,000 had been paid to Mr. Fowke; because he states in his Letter 27th of September (supra) that the Balance was reduced to 2,53,000 Rs. But, not a Rupee of the 1,47,000, as may be collected from the following Letter, was actually sent to Major Camac.

1780, Oct. 18.
Fowke to the Council.

96 Mr. Fowke informs the Council, that he has received from Cheyt Sing Bills on Gohud in Favour of Major Camac for 2,50,000 Rs. Mr. Fowke adds, he shall make a further Remittance to the Major, in a few Days, of the whole Amount, which he has received from the Raja.

But, Mr. Hastings had provided for this Detachment so early as June 1780.

1780, June 26.
Minute of Mr. Hastings.

343 The Contingencies of the Detachment, he says, are the only Expence that can be charged to the Expedition, which he rates below 2 Lacks. That Sum he has already deposited, and he desires it may be accepted for that Service.

Sect. 30. although Mr. Hastings, on the 21st of June, about the Day before the Demand was renewed, had privately received from Sadanund, the Treasurer of Cheyt Sing, a Present or Bribe of 2 Lacks, given, as alleged by Mr. Hastings, as an Atonement for the Opposition of the Rajah to the Demand of the Subsidy, but in Reality to induce Mr. Hastings to give up the Claim.

Art. Pa. 5.

30.

The Managers prove this Present from Sadanund, by Mr. Hastings's own Defence, delivered at the Bar of the House of Commons.

Defence of Mr. Hastings, before the House of Commons.

95 He says he had projected a Plan to draw Scindia from the Guzzerat, which was opposed by Mr. Francis on the Plea of Expence; about this Time, Sadanund had been deputed from Cheyt Sing to assure Mr. Hastings of his future implicit Obedience, and to desire a Remission

Third Demand of Five Lacks.

Sect. 29.

The Demand is actually made upon the Raja, and he at first shews a Readiness to comply with it. But he afterwards resumes his Pleas of Poverty and Inability, which, Mr. Fowke tells him, are rendered highly ridiculous, by his Riches, the flourishing State of his Country, and the easy Terms upon which he holds it.

The Marching of a Military Force, and the Exaction of a Fine of one Lack, are directed by the Council, founded upon Mr. Fowke's Letters of the 5th October, and the 27th September. See Evidence of the Managers, opposite.

The Directors are apprised of the Measures relative to this Demand.

1780, June 22. 1514
Council to Fowke.
1780, July 21.
Fowke to the Council.
1780, Aug. 5.
Fowke to the Council.
1780, Oct. 19. 1515
Council to Fowke.
Council to Stibbert.
1780, Nov. 29. 1594
Council to Directors.
1782, Jan. 25.
Directors to the Council.

The Counsel for the Defendant, enter into Evidence to shew the Distress of Major Camac's Detachment.

Major Camac complains of the heavy Distresses suffered by his Detachment, the serious Desertions, the starving Condition of the Troops, and the actual Inability to proceed for Want of Provisions, occasioned by Want of Money. He incloses Extracts of Letters from his Officers, Johnson and Hicks, dated 27th, 28th, and 29th October, strongly representing these Difficulties. The Money, he says, which he was in hourly Expectation of from Benares, came only in Part, 2½ Lacks, and those in Bills which he could not get discounted.

On the 24th November, he informs Mr. Hastings, that the Difficulties are all obviated, having been able to divide 70,000 Rupees amongst the Troops. In this Letter he quotes Extracts from three Letters of the 2d and 7th from Hicks, and of the 9th, from Johnson, painting the distressed Condition of the Troops, their Determination to march no further, and their Disposition to Mutiny for want of Provisions and Money.

1780, Nov. 1. 1561
Camac to Mr. Hastings. 1562
Johnson to Camac.
Hicks to Camac.
1780, Nov. 24. 1585
Camac to Hastings. 1586
Hicks to Camac.
Johnson to Camac.

Sect. 30. Mr. Hastings to this Part of the Article (referring to his Answer herein-after made. * See the Presents Article) denies that the Sum accepted from Sadanund was received as a Bribe, or for any corrupt Purpose. Anf. Pa. 9.

Third Demand of Five Lacks.

Sect. 30.

Remission of the Demand of 5 Lacks. Mr. Hastings refused the latter. Cheyt Sing, afterwards, commissioned Sadanund to renew his Assurances of Obedience, and to request Mr. Hastings's Acceptance of 2 Lacks for himself. Mr. Hastings at first refused the Present, but considering that the Money might enable him to obviate the Objection to his Plan against Scindia, he took it, meaning to apply it to that Expence. The Expedition being frustrated by the Dissent of Mr. Francis and Mr. Wheeler, he deposited the Money in the Company's Cash, and informed the Directors of the Transaction, but did not state from whom he received the Supply. He declared it was not his own, and that he could not, nor would, receive it but for their Use.

1780, Nov. 29.
Mr. Hastings to Directors.

Demand of Cavalry.

Sect. 31. (A.) Notwithstanding the Receipt of which Bribe, Mr. Hastings, in further Prosecution of his malicious Designs, did, on the 2d November 1780, move and carry a Resolution, that the Rajah should furnish such Cavalry as he could spare, for the Service of the British Government.

(B.) And afterwards, under Colour thereof, did peremptorily and arbitrarily demand from the Rajah 2000 Cavalry, which was afterwards reduced to some other Number,

without any Offer of paying for the same, although the Rajah was not bound to keep up any Cavalry;

and for whatever Number he furnished, he was to be paid by the Company, at the Rate already stated. Art. Pa. 5.

31. (A.)

1780, Nov. 2.
Minute of the Council.
Council to Fowke.

1780, Nov. 29.
Council to the Directors.

97 The Council request Mr. Hastings to require from the Rajah of Benares, such Part of his Cavalry as he can spare for the Service of this Government, and to desire him to inform them what Numbers he can supply. They instruct Mr. Fowke, in making this Demand, in order to obviate any Jealousy, to assure the Rajah that their Services shall not be required beyond the Continuance of the War. They apprise the Directors of the Requisition, supported upon the Grounds of the Protection the Rajah receives from the Company, of his known Affluence, and of the Interest he possesses, beyond any other Subject, in the Prosperity of the Company.

Sect.

Third Demand of Five Lacks.

Sect. 30.

Demand of Cavalry.

Sect. 31. (A.) Mr. Hastings cites the Resolution of the 2d November 1780, to require Cavalry from the Rajah, and the Instructions of the Council to Mr. Fowke, relative to the Manner of making the Requisition.—See the Evidence; opposite.

(B.) Which Requisition, he says, was accordingly made.

And he avers, that it was, in the then State of the Company's Affairs, expedient and necessary.

Denies, that the Resolution was made, or proposed by him, in prosecution of any malicious or criminal Design. Anf. Pa. 9.

31. (A.)

The Counsel for the Defendant, begin this Part of their Defence by stating the first Idea of bringing down Cavalry to Bahar, which originated with Sir Eyre Coote. He recommends, as one of the provisionary Measures against the Danger of the Company, to complete their two Regiments of Cavalry, and to bring them down to protect Bahar.

1780, Sep. 4. 1517
Minute of Sir Eyre Coote. 1518

On the 18th September, his Sentiments, are adopted by the Council, and they refer it to Sir Eyre Coote, to pass such Orders as may be immediately necessary to guard against an Invasion.

1780, Sep. 18.
Minute of the Council.

On the same Day, the Council receive Intelligence from Admiral Hughes, of a powerful Armament fitted out by France against Bombay, and of the Destruction of the Whole of Colonel Baillie's Detachment, and of a Re-inforcement sent to support it.

1780, Sep. 14. 1518
Hughes to the Council.

Upon this Occasion, Mr. Hastings, viewing the Calamities befallen the Company upon the Coast, and the Insufficiency of Fort St. George to sustain the War, proposes several Resolutions calculated to afford effectual Succour to that Settlement. 1. By a Remittance of 15 Lacks. 2. By detaching thither a large Body of European Infantry and Artillery. 3. By offering Peace to the Marattas. He refers it to the Commander in Chief to offer a Plan for the Military Arrangements. These Resolutions are voted. Mr. Francis dissents from them. On the first, he thinks the proposed Remittance too large: he assents to a Supply of Half the Sum. The second, he submits to the Commander in Chief; but, as Mr. Hastings has declared himself of Opinion that the Danger may be repelled with the Force already possessed by Fort St. George, he concurs only

1780, Sept. 25. 1520
Minute of Mr. Hastings. 1522
1523

1780, Sept. 26. 1526
Minute of Mr. Francis. 1522
1523

Demand of Cavalry.

Sect. 31. (A.)

(B.)

Benares Narrative.

¹¹¹ Mr. Hastings, in his own Narrative of his own Transactions at Benares, recapitulating
¹¹² the Charges against Cheyt Sing, says, that his Cavalry were estimated at 2000, that his
 Answers to the Demand were evasive, pleading (as he recollects, for he has them not) the
 Scantiness of his Establishment and the Necessity for Cavalry in making his Collections:
 At length 2000 were peremptorily demanded, afterwards 1500 and 1000. Cheyt Sing
 offered 250, but furnished none.

Mr. Hastings to Cheyt Sing.
 Cheyt Sing to Mr. Hastings.

¹¹⁵ When Mr. Hastings arrived at Benares, he pointedly accused the Rajah by Letter, for his
¹¹⁶ Conduct on this Score. Cheyt Sing answers, that with respect to the Horse, he sent Mr.
 Hastings an Account of all that were in his Service, amounting to 1300. Of this, no No-
 tice was taken.—Mr. Markham demanded 1000 Horse. Cheyt Sing raised them; sent
 Mr. Hastings Information, and told Mr. Markham they were ready. No Answer came.
 Cheyt Sing was astonished, and asked Mr. Markham the Reason, but he could give none.

No Offers appear in the above Correspondence to pay Cheyt Sing for the Cavalry de-
 manded; although the preceding Evidence (Sec. 21, 22, 23.) shews that Cheyt Sing
 was not at all bound to maintain Cavalry, and that if he did furnish any, they were to be
 paid for, by the Company at a stated Price.

Mr. Hastings's Intention to sell Benares to the Vizier.

Sect. 32. Mr. Hastings, in further Prosecution of the said Design, did, in direct De-
 fiance of the Letter and Spirit of the said Treaties, maliciously enter into a
 clandestine Negotiation with the Vizier, whom he well knew to be the he-
 reditary Enemy of Cheyt Sing and his Posterity,

Sect.

Demand of Cavalry.

Sect. 31. (A.)

only in Mr. Hastings's Request to Sir Eyre Coote to take the Command there. He modifies the third; and he thinks Peace, at all Events, should be made with the Marrattas.

Sir Eyre Coote submits his Plan for the Protection of the Provinces and the Relief of Madras. For the Bahar Province he proposes, that "the two Regiments of Cavalry to be ordered down there, be joined by four Battalions of Sepoys, the third Company of Artillery from the Field, and 1000 Horse, if they can be procured from the Rajah of Benares." The Council agree to the Disposition of the Troops proposed by the Commander in Chief. A few Days afterwards, he recommends the forming a stronger Relief for Madras, by detaching 6 or 8 Battalions of Sepoys through Cuttack, on the Hopes that they will not be opposed by the Marattas. The Council accordingly, on Mr. Hastings's Motion, resolve to raise 6 Battalions, and to refer it to General Stibbert to carry their Resolutions into Effect. The General, in the Absence of Sir Eyre Coote, transmits to the Board Major Briscoe's Letter, on a Perusal of which, he presumes the Board will see the Necessity of pressing both the Vizier and Fyzoola Khan to contribute effectually to the Protection of Rohileund. In answer to the Letter of the Council of the 26th, General Stibbert represents the Strength of the Military stationed in Bengal, from whence the 6 Battalions must be formed; and shews the Inadequacy of the remaining Troops, in case their Number should be diminished by a Deduction of the proposed Detachment.

Minute of Sir Eyre Coote. 1527
1528

Minute of the Council. 1529
1780, Oct. 3.
Minute of Sir Eyre Coote.
1780, Oct. 26. 1530
Minute of Mr. Hastings.
Minute of the Council.
1780, Oct. 28. 1531
Stibbert to the Council. 1532
Briscoe to Sir Eyre Coote.
1780, Oct. 29. 1533
Stibbert to the Council.

The Board, after taking all these Letters into Consideration, form the Resolution in Question, of demanding from Cheyt Sing such Part of his Cavalry as he could spare for the Assistance of the Company.

1780, Nov. 2.
Minute of the Council.

(B.)

Mr. Fowke acquaints Mr. Hastings that he had made the Demand, and endeavoured to obviate the Rajah's Apprehensions, by telling him that the Services of the Force would be required, no longer than the War.

1780, Dec. 7.
Fowke to Mr. Hastings.

Cheyt Sing's Inattention to the Demand is complained of by the Resident, who informs the Council, that notwithstanding 14 Days had elapsed, since he had been required to say what Number of Horse he could detach, and notwithstanding Mr. Fowke had frequently asked him, still he continually, and in a studied Manner, delayed answering. On the 7th of January he transmits an Answer to Mr. Hastings by the Resident, and acquaints the latter, that he shall not be able to detach more than 250, the Remainder being necessary for the Collection of his Revenue.

1780, Dec. 16. 1534
Fowke to the Council.

1781, Jan. 7.
Resident to the Council.

See Mr. Markham's Examination upon this Subject.

Examination of Mr. Markham. 1690
to 1692
1594

In the Letter above cited of this Date, the Council inform the Directors of the Requisition for Cavalry, and of their strong Recommendation to the Vizier, to require from Fyzoola Khan the 5000 Horse stipulated by Treaty.

1780, Nov. 29.
Council to Directors.
1782, Jan. 25.
Directors to Council.

The Defendant proves, by the Examination of Mr. Owen, that the Dispatches concerning the 3 Subsidies of 5 Lacks, and the Cavalry, were transmitted to his Majesty's Ministers, in Obedience to the Act of Parliament, 13. Geo. III. C. 63. S. 9.

Examination of Mr. Owen. 1594
to 1596

Mr. Hastings's Intention to sell Benares to the Vizier.

Sect. 32. Denies that he entered into any Negotiation with the Vizier for the Sale stated in the Article, as is therein alledged.

Mr. Hastings's Intention to sell Benares to the Vizier.

Sect. 32.

and from whose Enmity, the Rajah's Family had been protected by the British Power in 1765,

for the express Purpose of selling the Territories of the Rajah to the Vizier, for a Sum of Money, to be paid to the Company. Art. Pa. 5.

32.

1781, Dec. 4.
Major Palmer's Affidavit.

473 Major Palmer, who made an Affidavit in Support of Mr. Hastings's Benares Narrative, deposes, that Mr. Hastings declared to him that an indirect Offer was made by the Rajah of 20 Lacks, as a Retribution for failing in his Engagements, but that Mr. Hastings resolved to exact 50, or deprive him of his Zemindary, and transfer it to the Vizier. Mr. Anderson repeats the Purport of the Information given him by Mr. Hastings relative to his Intentions against Cheyt Sing. He says, Mr. Hastings enumerated the Resources he expected to find up the Country for the Relief of the Company, and he adverted to the Conduct of Cheyt Sing, from whom he was determined to exact a considerable Sum as an Atonement. If the Rajah refused, Mr. Hastings said he could raise a large Sum for the Company by accepting an Offer which had been made for his District by the Vizier.

1782, Jan. 14.
Mr. Anderson's Attestation.

As to Mr. Hastings's Knowledge of the Vizier's Enmity,

1770, Dec. 24.
Council to Directors.

37 The Council, writing to the Directors on the Accession of Cheyt Sing in 1770, observe, that he excused himself from attending the Vizier's Invitation to the Marriage of his Son, "perhaps by the Advice of his Father's Counsellors, who had kept alive the Family Enmity."

1773, Oct. 4.
Mr. Hastings's Report.

38 Further, Mr. Hastings himself, at the Council Board, defending Cheyt Sing upon the Principle of the Treaty of 1765, from Infringements of his Rights attempted by the Vizier, says, "I am well convinced that the Rajah's Inheritance, and perhaps his Life, are no longer safe than while he enjoys the Company's Protection."

1765, Aug. 16.
Treaty of Allahabad.

39 As to the Protection afforded to Cheyt Sing's Father by the Treaty of Allahabad, see the 5th Article, cited supra, Pa. 3.

Cheyt Sing's Delay in paying his Tribute.

Sect. 33. Mr. Hastings, in further Prosecution of the said wicked Design, and to draw the Rajah to some Act which might afford a Pretence for Violence,

did, in January 1781, insultingly write to the Rajah, charging him with Delay in Payment of his monthly Gifts,

and in causing the Nonpayment of the Stipend to Sadit Ally;

although the Gifts, and the Stipend, were at the same Time paid with the utmost Regularity. Art. Pa. 5.

33.

1781, Jan. 17.
Mr. Hastings to Cheyt Sing.

101 Frequent Representations, Mr. Hastings says, having been made to him of Cheyt Sing's Unpunctuality in paying his Malguzary, that Part, in particular, assigned for Sadit Ally's Salary, and this Conduct having a suspicious Appearance, he therefore commands Cheyt Sing to pay up all Arrears within 24 Hours, or bad Consequences may follow. Previous to the Date of Mr. Hastings's Letter, it appears from two Letters of Mr. Fowke the Resident,

1780, Dec. 7.
1781, Jan. 13.
Fowke to the Council,

Mr. Hastings's Intention to sell Benares to the Vizier.

Sect. 32.

But insists, if he had so done, he would not have been guilty of the Defiance in the Article mentioned. Anf. Pa. 9.

32.

Chey Sing's Delay in paying his Tribute.

Sect. 33. He admits, that in January 1781, in consequence of repeated Representations, the Truth whereof he then had Reason to believe, he did write the Letter stated in the Evidence. See opposite.

Denies it was written with any criminal Motives or Design. Anf. Pa. 9.

33.

Mr. Fowke complains of the Rajah's Dilatoriness in paying Sadi Ally's Stipend. The Amount due on the 4th ult. is not yet paid. The Bills for the Monthly Kist, which used to be ready by the 15th of the Month, are now never ready till the End of it. It is true, he says, there is as yet no Difference in the Date of Payment. But these Delays gradually increasing, are the Effect of Inattention to Business, which must produce Failure in Payment.

1780, Dec. 16.
Fowke to the Council. 1334

ARTICLE FIRST, BENARES.—PROSECUTION.

Cheyt Sing's Delay in paying his Tribute.

Sect. 33.

1780—81.

Account of the Payments of Cheyt Sing's Kifts, and Sadit Ally's Stipend.

Mr. Wright's Examination.

1776, Mar. 20.

Council to Directors.

99
100

Resident, that Cheyt Sing's own Kift, and Sadit Ally's Stipend, due November 4, were paid by the Rajah before December 7, and those due December 4, were paid before the 13th of January. And further it appears from two Accounts produced and illustrated by the Examination of Mr. Wright, that the Kifts and Stipend were paid by the Rajah with the utmost and equal Regularity, from May 1780 to April 1781.

334

Besides which, Cheyt Sing was in Fact allowed 51 Days Grace upon each Kift, to enable him to get Bills to remit; and a Penalty of $\frac{1}{4}$ per Cent per Diem was fixed on all deficient Payments beyond the 51 Days.

R E P L Y.

2487 The Managers observe that a Witness, Mr. Markham, the Resident at Benares, produced
2694 by the Defendant, having stated, "that it was the Course for the annual Revenue paid by
"the Rajah to be paid the Day it was due, and that it was always so understood by Cheyt
"Sing and the Resident,"

They would prove, from the Correspondence in the Resident's Office, that the Practice was, to give 51 Days Grace, and consequently that the Witness had a Knowledge of that Fact contrary to the Evidence he had given.

1776, Feb. 26.

Council to Mr. Fowke
the Resident.

2487

The Council acknowledge the Receipt of Mr. Fowke's Letter, apprising them of Cheyt Sing's Acquiescence in the ultimate Terms fixed for the Remittance of his Tribute, and inclosing Bills for one Kift.

They notice the Bills being made payable at 51 Days. This they think favourable to the Rajah. They agree to the Continuance of it. But the Rajah is to bind himself to the punctual Discharge of such Payments, by agreeing to pay $\frac{1}{4}$ per Cent per Diem upon every Default after the Expiration of the 51 Days.

Sect.

Chey Sing's Delay in paying his Tribute.

Sect. 33.

Payment. He writes to Mr. Middleton, and informs him, that Cheyt Sing alledges there are no Arrears due for Khyragur; that he cannot prove the contrary, although he has no Doubt of the Fact; that Cheyt Sing is become very negligent in Buiness, and is frequently in Arrear to the Company. 1781, Jan. 4. 1534
Fowke to Middleton.

The Counsel, to shew, that it is not the Custom of that Country to make Payments One Month under the other,

Produce Mr. Graham's Information to the Council, of the Plea of Inability alledged by Cheyt Sing against the Demand of the Second Subsidy; 1776, Aug. 16. 1534
Graham to the Council.

An Account between Cheyt Sing and the Company of Revenue received in full of the Kift due the 4th of August 1779, which is entered as paid, on the 5th, 8th, 14th, and 15th of August 1779; Account between Cheyt Sing and the Company.

A Letter from Mr. Fowke, dated the 21st of July, remitting the Balance of his Kift due the 4th Instant;—and, 1780, July 21. 1536
Fowke to the Council.

Another Letter from him of this Date, informing the Board of the Rajah's Assurance to remit the Balance due this Day, in eleven Days, and on the 12th of April to pay the Kift, due the 5th of that Month. The Rajah has promised to adhere to these Terms, and Mr. Fowke gave him Reason to hope that no Fine should be imposed for the past Delays. 1776, March 19. Fowke to the Council.

R E P L Y .

The Messengers state, that the Council, having given the distressed Situation of the Rajah, as a Ground for exempting Money from Cheyt Sing; they would shew, if it was Ground of Justification, there were other Persons upon whom the Demand might more properly have been made.

Mr. Hastings, alluding to the Request of the Raja of Tanjore to contribute towards the Army, thinks it improper at such a Time to permit the Raja to withhold either his Grain or his Treasure from the Service of the State; and he is ready to shew, that the Raja's Request is not to be considered as a public Sentiment, to which he hopes his Lordship's reply be comfortable; during the distressed Condition of Affairs, that the Whigs, retaining only the Raja's personal Subsidy, may be taken out of his Hands, in better Time for the Public.

Apply this to the Article and Answer, Part 23 and 24, Sect. 26. (P.)

Sect. 33.

REPLY.

2671 The Managers state, that the Counsel, having shewn the distressed Situation of Madras, as a Ground for exacting Money from Cheit Sing; they would shew, if it was a Ground of Justification, there were other Persons upon whom the Demand might more properly have been made.

1781, July 29.
Mr. Hastings to Lord
Macartney.

1673 Mr. Hastings, alluding to the Refusal of the Raja of Tanjore to contribute Grain for the Army, thinks it improper at such a Time to permit the Raja to withhold either his Grain or his Treasure from the Service of the State; and heartily advises (as his public Sentiments, to which he hopes his Lordship's may be conformable), during the desperate Condition of Affairs, that the Whole, reserving only the Rajah's personal Subsistence, may be taken out of his Hands in better Trust for the Public.

Apply this to the Article, and Answer, Pa. 23 and 24, Sect. 26. (F.)

Sc&

Distress of the Company, at the Time Cheyt Sing withheld his Assistance.

Sect. 33.

The Situation of the Company antecedent to the Invasion of Hyder Ally in 1780.

An exhausted Treasury at Calcutta. Pressing Applications from Fort St. George for large Supplies of Money, without which that Presidency was totally unable to act vigorously in the War. Strong Representations of General Goddard to the Bombay and Calcutta Councils, shewing the Necessity of appropriating solely to his Army, the Revenue newly acquired by him. Mr. Hastings's Proposition to raise Money to provide against the multiplying Exigencies of the State. Small Number of Troops on the Coast.

1780, June.	Minute of Messrs. Francis and Wheler.	1561
1780, Sep. 26.	Minute of Mr. Francis.	1563
1780, Aug. 21.	Fort St. George to the Council.	1563
1780, Aug. 24.	Goddard to Bombay.	1564
1780, Sep. 6.	Goddard to the Council.	1564
1780, Aug. 28.	Minute of Mr. Hastings.	1563
1780, Oct. 26.	Sir Eyre Coote to the Council.	1566

The Situation of the Company when Sir Eyre Coote arrived at Madras, subsequently to the Applications made to Cheyt Sing.

Every Cowrie of the Expence of the Settlement of Fort St. George, about Seven Lacks a Month, Sir Eyre says, must come from Bengal. He demands a large Recruit of Sepoys. To the same Effect writes Mr. Smith, adding, that nothing is to be expected from the Rajah of Tanjore or the Nabob of Arcot. Sir Eyre Coote describes how he is restrained, by the Want of Provisions and Cavalry, from acting offensively.

1780, Nov. 10.	Sir Eyre Coote to the Council.	1566
1780, Nov. 18.	Mr. Smith to Mr. Hastings.	1567
1780, Nov. 19.	Sir Eyre Coote to the Council.	1568

To shew further the Situation of the Army on the Coast, their extreme Distress for Want of Provisions, and their Applications to Bengal for Assistance, the Counsel for the Defendant cite Sir Eyre Coote's Letter of the 20th of December.

1780, Dec. 20.	Sir Eyre Coote to the Council.	1569
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About this Time, notwithstanding their own Difficulties, the Council remit Five Lacks to Bombay. Sir Eyre Coote acknowledges the Receipt of the Supply, as the Means of saving them all from the utmost Distress.

1781, Jan. 7.	Council to Bombay.	1571
1781, Jan. 7.	Sir Eyre Coote to the Council.	1572

The Bombay Government acquaint the Council of the Continuance of their Distresses at this Period, and place their whole Reliance on Bengal for Support.

1781, Feb. 15.	Bombay to the Council.	1573
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All Supplies from the Coast being destroyed by Hyder Ally, Mr. Smith applies to Bengal for Rice. In another Letter he acquaints Mr. Hastings of the Want of Supplies, the consequent Retreat of Sir Eyre Coote before Hyder, the Danger of the Army, and Presidency of Madras: earnestly requests Money and Rice, on any Terms. In another Letter he informs Mr. Hastings that a Famine had begun at Cuddalore, and applies to Bengal for Relief. And in April 1781, a long Letter shews the Continuance of these Calamities.

1781, Mar. 5. 22.	Mr. Smith to Mr. Hastings.	1573
Apr. 26.		1574
		1575

Which are further confirmed by Sir Eyre Coote's Description of Hyder's laying waste the Country, and the Difficulty of procuring Subsistence for the Garrison. In another Letter of the same Date, he represents the critical Situation of Madras, the Expectation of a French Army, and the total Want of Money there, at the same Period.

1781, Apr. 27.	Two Letters of Sir Eyre Coote to the Council.	1577
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Five East Indiamen, and 52 West Indiamen, taken by the French and Spaniards.

1781, Mar. 2.	Mr. Morley's Intelligence.	1573
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The Council of Fort St. George, cannot too warmly express their Thanks to the Bengal Government, for the Relief so zealously afforded them in their imminent Distress. In a Month afterwards, the same Council, a Famine having actually taken place at Madras, conclude

1781, May 13.		1580
June 11. 5. 13.		1581
Fort St. George, and Mr. Smith, to the Council.		1582

Difficult of the Company at the Time Chet Singh withheld his Assistance.

Sect. 33.

The Situation of the Company antecedent to the Invasion of Hyderabad in 1780.

An exhausted Treasury at Calcutta. Pressing Applications from Lord George for large Supplies of Money, which the Presidency was totally unable to supply. The War. Strong Representations of General Goddard to the Bombay and Calcutta Councils, shewing the Necessity of appropriating Money to his Army, the Revenue newly acquired by him. Mr. Hastings's Propensity to raise Money to provide against the applying Emergencies of the State. Small Number of Troops on the Coast.

1780, Jan. 20. Mr. Hastings's Letter to the Council.
1780, Feb. 10. Mr. Hastings's Letter to the Council.
1780, Mar. 10. Mr. Hastings's Letter to the Council.
1780, Apr. 10. Mr. Hastings's Letter to the Council.
1780, May 10. Mr. Hastings's Letter to the Council.
1780, Jun. 10. Mr. Hastings's Letter to the Council.
1780, Jul. 10. Mr. Hastings's Letter to the Council.
1780, Aug. 10. Mr. Hastings's Letter to the Council.
1780, Sep. 10. Mr. Hastings's Letter to the Council.
1780, Oct. 10. Mr. Hastings's Letter to the Council.
1780, Nov. 10. Mr. Hastings's Letter to the Council.
1780, Dec. 10. Mr. Hastings's Letter to the Council.

The Situation of the Company when Sir Eyre Coote arrived at Madras, subsequently to the Applications made to Chet Singh.

Every Corner of the Empire of the Settlement of Lord George, about Seven Lacks a Month. Sir Eyre Coote, must come from Bengal. He demands a large Regiment of 2000 Men. To the same Effect writes Mr. Smith, adding that nothing is to be expected from the Rajah of Tanjore or the Nabob of Arcot. Sir Eyre Coote declares how he is distressed by the Want of Provisions and Cavalry, from acting offensively.

Delegation of Powers:

Sect. 34. (A.) Mr. Hastings, in further Prosecution of the Design aforesaid, did, in July 1781, by a Vote in Council, invest himself with an illegal and dangerous Delegation of the Powers of the whole Council;

and conferred upon himself, full Power to act, as he should think fit, in forming Arrangements with the Rajah for the better Management of his Zemindary, and the Improvement of the Company's Interests; consistently with the Engagements between them and the Rajah;

(B.) without any Authority given him, by the Company or Parliament. Art. Pa. 5. The Bombay Government acquiesced in the Council's vote of their Dismissal at this Period, and placed their whole Reliance on Bengal for Support.

All Supplies from the Coast being interrupted by Hyder Ali, Mr. Smith applied to Mr. Hastings for a Letter to the Rajah of Tanjore, in which he was to request him to supply the Company with 2000 Men, and to place at their disposal a Regiment of Cavalry, and a small Number of Artillery.

34. (A.)

State of the Council.

102 The Act of conferring this Delegation upon himself, is proved by the Superiority which he held at the Council Board, which, from the Departure of Mr. Francis in November 1780, to the Arrival of Sir John Macpherson on the 14th of September 1781, consisted only of Mr. Hastings and Mr. Wheler.

1781, May 21.
Minutes of Mr. Hastings
and Mr. Wheler.

103 Mr. Hastings proposes to visit the Province of Oude, for the Purpose of concerting with the Vizier a Plan to retrieve the disordered Condition of his Affairs. He thinks this is the most favourable Opportunity to make the Journey; especially as mutual Confidence is restored between the Members of Administration. Mr. Wheler concurs; and he is persuaded that nothing but the Harmony prevailing in the Council, could induce Mr. Hastings to leave the Presidency at a Crisis like the present. Mr. Hastings thinks he shall be ready about the 15th of July. On the 3d, he resumes the Subject, by clothing Mr. Wheler with the full Powers of Governor General and Council during his Absence, and by settling, with the Concurrence of Mr. Wheler, his own Credentials; the preliminary Matter of which, states a Resolution passed for Mr. Hastings's proceeding to Benares and Lucknow, to obtain an Interview

1781, July 3.
Minutes of Mr. Hastings
and the Council.

Distress of the Company, at the Time Cheyt Sing withheld his Assistance.

Sect. 33.

conclude the Detail of their Miseries in these Words: "Thus have we set before you the true State of our Finances. The Want of Money in an Exigency like the present, is an Evil which, if not corrected in Time, aims a deadly Blow at the dearest Interest of the Company. To you we need not expatiate on the Subject, nor can we doubt but you will afford the amplest Relief to our Necessities, without which the Army must be disbanded, and our Ruin on this Coast will then be inevitable."

Mr. Smith, in his private Correspondence with Mr. Hastings, again and again deplors their dreadful Situation, and places their whole Reliance on him.

The Council of Bombay entreat the Bengal Government to send them effectual Relief. Words cannot describe their real Distress.

Mr. Hastings apprises the Directors that in consequence of the alarming and distressed Situation of Affairs, the Board will be compelled to make a large Reduction, and possibly a total Suspension of, the Company's Investments for the ensuing Year.

The Council then prove by the Documents cited in the Margin, the Distress of the several Corps on Service at this Period; their Applications for Assistance; Orders to Mr. Middleton to relieve their Exigencies; his Inability to afford the Supplies he was required to provide, for the Service of the Troops at Benares.

1781, July 3. 1583
Bombay to the Council
1780, Dec. 2. 1590
Mr. Hastings to the Directors.
1780, Dec. 12. 1591
Morgan to Middleton. 1592
1781, Feb. 23. Mar. 10. 1593
Muir to Middleton.
1781, July 6.
Council to Middleton.
1781, July 22.
Middleton to Markham.
1781, Aug. 30.
Morgan to Middleton.

Delegation of Powers.

Sect. 34. (A.) Mr. Hastings says, that, in July 1781, it was resolved in Council to invest him with the Power mentioned in the Article.

Admits that he concurred in that Resolution.

(B.) Denies, that he did thereby, invest himself with any illegal or dangerous Delegation, without Authority by the Company, or Parliament;
and that the Delegation was illegal, dangerous, or unwarrantable. Anf. Pa. 9.

34. (A.)

Delegation of Powers.

Sect. 34. (A.)

* In the Reasons given by Mr. Hastings, for this Journey, no Mention of Benares was made.

1781, July 3.
Council to Colonel Morgan.

- 104 Interview with the Vizier and the Berar Minister, and for other consequent Purposes, expressed in the Minute of the Board of the 21st of May*. And further states, the Probability of other Things occurring which may require Mr. Hastings's Presence, with complete Authority for their Execution. Upon these Grounds, Mr. Hastings is invested with full Powers to form such Arrangements as he shall think fit, with the Rajah of Benares, for the better Government of his Zemindary, and for the Improvement of the Company's Interests, consonantly to the mutual Engagements subsisting between both; to assist the Vizier in regulating his Government, and adjusting the Concerns between him and the Company; to contract Alliances with the Chiefs of Hindostan; to determine or promote the Mahratta War. All Acts done by Mr. Hastings are to be, as the Acts of the Governor General and Council. The military Power vested in Mr. Hastings, as Commander in Chief of Fort William and Calcutta, devolves, by a Vote of the Council, during his Absence, upon
- 105 Mr. Wheeler. The Council inform Colonel Morgan of Mr. Hastings's Intention to visit the Dominions of the Vizier; and they direct him, to consider the Orders issued by Mr. Hastings of the same Force, as those of the Governor General and Council.

(B.)

The Managers then explain the Manner in which the Bengal Government were enjoined to conduct their Proceedings.

1702, Feb. 26.
1736, 7, Feb. 9.
1774, Mar. 29.
1778, May 7.
Directors to the Council.
Examination of Mr. Hudson.

- 277 In 1702, to remedy Irregularities, the Directors order all their Affairs to be transacted
- 278 in Council by a Majority, and not otherwise, on any Pretence; and all the Council to reside
- 279 upon the Place. They repeat this Injunction in 1736, and direct all the Members to be summoned. Mr. Hudson proves the present existing Validity of these Orders.

1773, 13. Geo. III.
Act of Parliament.

- 6 The Act of the 13th of the King, vests the Government of India, in Mr. Hastings the Governor General and the Council, to be exercised by them as it had been exercised heretofore. The Directors transmit with the Act, a Body of Instructions, wherein they expressly require a strict Attention to all the standing Orders of the Company. In 1778 they confine the military Authority of the Governor General to Fort William, and restrict him, in case of necessary Absence, to the Attendance of his usual Body Guard only.

Delegation of Powers.

Sect. 34 (A.)

(B.)

As to the supposed illegal Delegation, the Counsel shew the established Usage of Delegation, and the Directors' Approbation of it.

First, The Delegation of the President Vanstittart, by the Members of the Council, to Moorhedabad, attended with a strong military Force, to support Cossim Ally Cawn, and keep him firm to his Engagements. The Council, on this Occasion, empower him to act according to his own Discretion in all Circumstances that occur.

1760, Sep. 24.
Minutes of the Select Committee. 1536
Instructions to Mr. Vanstittart, and Col. Cauld.

Lord Clive informs the Committee of his Intention to join the Army, and desires the necessary Powers to conclude Peace with Sujah Dowla. They are granted to him, unclogged by any Restriction but his own Judgment. The Directors transmit the most unbounded Encomiums upon his Lordship's Exertions, particularly in settling the Peace of the Country. They express themselves, in subsequent Letters, greatly pleased to find it his Lordship's Intention, to make the Tour of the Provinces, from which they persuade themselves many beneficial Effects will arise.

1765, June 21. 1538
Minutes of the Select Committee. 1539
Instructions to Lord Clive. 1540
1766, May 2. 17. Nov. 21.
1767, Mar.
Directors to Lord Clive.

In 1773 the Select Committee recommended the deputation of Mr. Hastings, the President, to take Possession of Corah, and to adjust, personally with the Vizier, many Points of Consequence. The Board adopt the Sentiments of the Select Committee, and he is accordingly delegated, with Instructions, explanatory more of the Wishes of the Board, than prohibitory upon the Experience and Abilities of Mr. Hastings to improve, for the Company's Benefit, the different Events which may occur.

1773, Apr. 19. June 18. 23. 1541
Minutes of the Select to Committee, and of the Council. 1544
Instructions to Mr. Hastings.

The next Precedent of Delegation is shewn by a Letter from the Council, advising the Directors, that in consequence of the disordered State of the Vizier's Dominions, Major Palmer had urged the Necessity of Mr. Hastings's repairing to Lucknow: that the Governor General had tendered his Services on the Occasion, and the Council had accepted them, on Condition of the Vizier's pressing him to come.

1784, Feb. 7. 1544
Council to Directors.

The Directors approve the Principles of Mr. Macpherson's Address to the Vizier of the 18th February last, and they expect that the Agreements made between the Vizier and Mr. Hastings will be invariably adhered to.

1785, Sep. 21. 1545
Directors to the Council.

These Precedents are concluded, with Instances under Lord Cornwallis's Administration.

His Lordship apprises the Directors of his Intention to Visit the Provinces, to inspect the Army, and to make civil and military Investigations.

1787, Mar. 4. 1546
Lord Cornwallis to the Directors.

Lord Cornwallis says, that except continuing the Brigade stationed at Futty Ghur, in the Dominions of the Vizier, he has adhered to the Principles established by Mr. Hastings, and

1787, April 10.
Minute of Lord Cornwallis.

Delegation of Powers.

Sect. 34. (B.)

(B.)

As to the supposed illegal Delegation, the Council knew the established Usage of Delegation, and the Directors, Appropriation of it.

First, The Delegation of the President Viceroy, by the Members of the Council, to Mr. Hastings, attended with a strong military force, to support Colonel Alib Cawn, and keep him firm to his engagements. The Council, on this Occasion, empowered him to act according to his own Discretion in all Circumstances that occurred.

Lord Clive informs the Committee of his Intention to join the Army, and desires the necessary Powers to conclude Peace with Suraj Dowla. They are granted to him, unobscured by any Restriction but his own Judgment. The Directors transmit the most unbounded Encouragements upon his Lordship's Exertions, particularly in forcing the Peace of the Country. They express themselves, in independent Letters, greatly pleased to find his Lordship's Intention, to make the Tour of the Provinces, from which they apprehend themselves many beneficial Effects will arise.

In 1773 the Select Committee recommended the deposing of Mr. Hastings, the President to take Possession of Cash, and to resign provisionally with the Vicer, many Points of Controversy. The Board adopt the Sentiments of the Select Committee, and he is accordingly deposed, with Instructions, explanatory more of the Wishes of the Board, than previously upon the Experience and Abilities of Mr. Hastings to improve, for the Company's Benefit, the different Events which may occur.

The next Precedent of Delegation is shown by a Letter from the Council, advising the Directors that in consequence of the distressed State of the Vicer's Dominions, Major Palmer had urged the Necessity of Mr. Hastings's returning to India; that the Governor General had rendered his Services on the Occasion, and the Council had accepted them on Condition of the Vicer's paying him to come.

The Directors approve the Principles of Mr. Macpherson's Address to the Vicer of the 18th February last, and they expect that the Agreements made between the Vicer and Mr. Hastings will be invariably adhered to.

These Precedents are concluded, with Instances under Lord Cornwallis's Administration.

His Lordship sends the Directors of his Intention to visit the Provinces, to inspect the Army, and to make civil and military Investigations.

Lord Cornwallis says, that except continuing the Brigade stationed at Fort Ghaz, in the Dominions of the Vicer, he has added to the Prince of the Princes by Mr. Hastings, and

Delegation of Powers.

Sect. 34. (B.)

and since confirmed by the Directors. All the subsidiary Arrangements have been formed with a view to strengthen Mr. Hastings's Principles.

The Board remark upon the Reluctance of the Vizier, in transacting even the Formality of Business, and upon his Profuseness, without any Solicitude concerning the Means. The Government of Oude depends upon the Minister, and the Company must look to him, for the Performance of the Vizier's Engagements.

The Council apprise the Directors of Lord Cornwallis's Proposition to visit the several Stations of the Army. His Lordship considers this, as a Part of his Duty. He promises a constant Communication with the Council during his Absence, and he expects the fullest Information from them of all public Occurrences. He requests that no final Decisions may be made in his Absence, upon Politics, Revenue, or Commerce. He directs the Government of Fort William, during his Absence, to be exercised in the Name of the Council, as no Individual, in his Opinion, can legally exercise that Government, but the Governor General, and not the senior Member of the Council, as was done in the Year 1784. The Council entirely concur, and inform the Directors of his Lordship's Departure, and of his Arrival at Patna. About the same Time, Lord Cornwallis himself advises them of his being at Monghyr, and of the Necessity for their Interest, that he should personally pursue his Investigations. The Directors highly approve of his Lordship's Expedition.

1787, Apr. 20. 1546
Minute of the Council.

1787, May 17. 1547
Council to Directors.

1787, July 7. 1548
Lord Cornwallis's
Minute.
Minute of Council.

1787, Aug. 16. 1548
Council to Directors.

1787, Aug. 18. 1548
Lord Cornwallis to
Directors.

1788, Mar. 28. 1548
Directors to the Council.

In a subsequent Letter, they express their Approbation of the general Arrangement concluded by Lord Cornwallis with the Vizier, and its Principles. They think the Precaution given to the Resident to keep a watchful Eye over Hyder Beg very necessary. They are aware that under a former System, the Country owed its Ruin to his Mal-administration. But they, as well as Lord Cornwallis, attribute the present unfortunate State of the Country to a defective System, and the Abuses growing out of it. They observe Hyder's Expressions of Obligation, that all his Doubts and Suspicions were removed. Are happy to learn that the Vizier's Engagements with the Company, notwithstanding the Resident's Apprehensions to the contrary, have been discharged with sufficient Regularity; and they are anxious for the Conclusion of the Commercial Treaty, from the hopes entertained by Lord Cornwallis, that it will tend to recover Oude from its present miserable and exhausted Condition.

1789, Apr. 8. 1549
Directors to the Council.

Lord Cornwallis announces his Intentions to proceed to the Carnatic, to take upon him the Command of the Army against Tippoo Sultan; and in case the Board agree with him in the Utility of the Measure, suggests the Necessity of investing him with full Powers of War and Peace. Relies upon the Board's communicating with him upon all Points of Business. The Board, in reply, perfectly agree with Lord Cornwallis; and they invest him with whatever Powers his Judgment shall suggest to him as requisite. The Council on the same Day agree to several weighty Propositions of Lord Cornwallis, for the Augmentation and Improvement of their Forces. Full Powers are delegated to his Lordship. Notifications whereof are sent to Fort St. George, Bombay, and the Foreign Settlements. The Directors, by way of Answer to Lord Cornwallis's several Letters, express the high Sense they entertain of his Lordship's Zeal for the Service. By a subsequent Dispatch they transmit the following Act of Parliament, entitled, "An Act for establishing and confirming a certain Resolution, or Order, of the Governor General in Council of Fort William in Bengal, and all Acts done by Virtue thereof, and for granting further Powers to the said Governor General during his Residence on the Coast of Coromandel and Malabar."

1790, Nov. 6. 1550
Minute of Lord Cornwallis.

Minute of Council. 1552

1790, Nov. 24. Dec. 3. 1553
Instrument of Delegation to Lord Cornwallis. 1554

1791, May 6. Aug. 4. 1555
Directors to the Council.

1791. 31 Geo. III. c. 40. 1556
Act of Parliament.

The Council then produce certain Orders subsequent to the Year 1792. (See Evidence of the Managers, Pa. 49.) relative to the local Residence of the Council.

In 1753, the Directors order that the fittest Member of the Council shall be appointed to the Chiefship of Cossimbuzar, but all the other Members of the Council are to give their constant Attendance at Fort William. In 1757 they repeal this Order, as productive of many Inconveniences, and leave it to the Council to employ their covenanted Servants in such Places, Times, and Manner, as they shall judge most conducive to their Interest.

1753, Jan. 24. 1557
1757, Mar. 25. 1557
1766, Nov. 21. 1560
1767, Nov. 20.
1770, Mar. 23.
1771, Aug. 28.
1772, Nov. 24.
Directors to the Council.

Delegation of Powers.

Sect. 34. (B.)

Sect. 35. Mr. Hastings, under Colour of the above Authority, and certain malicious Pretences, with a View to ruin Cheyt Sing, and to extort enormous Sums of Money from him without just Cause,

although the Rajah had a short Time before, knowing the Malice of Mr. Hastings, offered 20 Lacks to the Company,

36. did maliciously undertake a Journey to the Upper Provinces, and particularly to Benares;

37. (A.) and did tyrannically degrade, and falsely accuse the Raja of Misgovernment, Disaffection, Breach of Duty to the Company, and other Crimes.

The Raja endeavoured to pay every Attention to Mr. Hastings; expressed the utmost Distress at having given any supposed Offence; assured him that his Zemindary, and all he possessed, were at his Devotion; and accompanied his Words with Actions strongly expressive of his Sincerity.

(B.) And the said pretended Offences were delivered to the Raja, in Writing, by Mr. Hastings:

(C.) which the Raja did, in the most humble Manner, fully deny, or justify himself from, and desired a full Enquiry into the Truth of his own Allegations. Art. Pa. 5. 6.

Intended Extortion from Cheyt Sing.

35.

Benares Narrative.

- 113** Mr. Hastings, in his Benares Narrative, avows his Determination to make Cheyt Sing pay largely for his Pardon, or to exact a severe Vengeance for his past Delinquency; of which Intention he forewarned Cheyt Sing, if he did not amend his Conduct. He left Calcutta with a Belief, that extraordinary Means were necessary to preserve the Company's
- 114** Interest from sinking. He appeals to Messrs. Wheler, Anderson, and Palmer, for an Account of what he communicated to them, upon this intended Exaction. Mr. Wheler recollects Mr. Hastings declared, that the Raja's Offences required early Punishment. His Wealth was great, and the Company's Exigences pressing. Mr. Hastings declared his Intention was to exact 40 or 50 Lacks, and on his Refusal, to remove him from his Zemindary, or by taking Possession of his Forts to obtain the Money from his Treasures. Mr.
- 273** Anderson remembers, Mr. Hastings, enumerating the Resources he expected to find up the Country, mentioned the Conduct of Cheyt Sing, and particularly pointed at the Distress of Camac's Detachment. That Mr. Hastings was determined to make Cheyt Sing pay a considerable Sum. If he consented, he was to be established in his Possessions, if not, his District was to be sold to the Vizier. Major Palmer deposes, that Mr. Hastings declared, one of the principal objects of his Journey, to be the Exaction of 50 Lacks from Cheyt Sing; that the Rajah had offered 20; but he was resolved to have 50; to deprive him of his Zemindary, or transfer it to the Vizier.

1782, Jan. 14.

Anderson's Attestation.

1781, Dec. 4.

Palmer's Affidavit.

Seft. 34. (B.)

(A) TE

Sect. 35.

37. (A.) Denies that he did tyrannically degrade, or falsely accuse, the Raja.

That the Charges which he did, and now does believe to be true, were signed by himself, and delivered to the Raja.

(C.)

(B)

Journey

Journey to Benares.

36.

Benares Narrative.

109 Mr. Hastings prefaces his Narrative with a solemn Appeal to the God of Truth. He
 110 says, that the Motives of his Journey were various. With these the Design of his Transactions at Benares had but a remote and secondary Consideration. He left Calcutta on the 7th of July.

Mr. Hastings's Accusation of Cheyt Sing. His Defence.

37. (A.)

Benares Narrative.

110 Mr. Hastings, proceeding in his Narrative, says, Cheyt Sing paid him the customary Duty of Respect at Buxar, which he received with Civility. On the Raja's second Visit he professed to Mr. Hastings much Concern to hear that he was displeased; assured him that his Zemindary, and all he possessed, were at his Devotion; expressed his Fears of Owssan Sing, who had been some Days in Mr. Hastings's Suite, and expressed the strong Agitation of his Mind by laying his Turban on Mr. Hastings's Lap. Mr. Hastings replied, that he had nothing to do between Owssan Sing and him; that what he had heard of his Displeasure was true; and he entered into a full Discussion of the Causes of it; told the Raja, that he should not suffer his Purpose to be changed by any verbal Concessions, made with little Cost, without any Pledge for their Observance. Cheyt Sing, Mr. Hastings says, pleaded his Inability to answer these Charges, and acknowledged himself faulty in every Respect. Mr. Hastings explains, that the Charges, which he made, involved the
 111 Raja's Conduct in the three Subsidies and the Cavalry. He attributes all the Calamities
 112 suffered by Major Camac's Detachment, to the Breach of the Raja's Promise, through Sadanund, that the third Subsidy, appropriated to the Payment of that Detachment, should be punctually discharged: on account of which Promise also, Mr. Hastings says, that he had made no other Provision for the Detachment. (But see the Evidence supra Pa. 35.) He declares his pre-existing Design to fine Cheyt Sing, and to exact a severe Vengeance for his past Delinquency. See the Evidence supra, Pa. 53.

(B.)

Mr. Hastings to Cheyt Sing.

115 Mr. Hastings arrived at Benares on the 14th of August. He forbid the Raja's Visits, and sent him a Paper containing two Charges against him; in Effect, that, contrary to the fullest Assurances, and notwithstanding repeated Applications by himself and the Resident, he procrastinated Payment of the third Subsidy, until Major Camac's Army, for whose Use it was intended, was reduced to the last State of Distress; that the Requisition for 1500 or 1000 Cavalry, was made by himself, Mr. Fowke, and Mr. Markham, with almost daily Importunity, to which Cheyt Sing returned evasive Answers, and did not contribute a single Horseman; that, by Means of his secret Agents, he endeavoured to excite Disorders in the Government; that he had neglected his Duty, and, in Violation of his Sunnud, had suffered the daily Perpetration of Robberies and Murders in the Streets of Benares. To the two first Instances, amounting to a direct Charge of Disaffection and Infidelity, Mr. Hastings required an immediate Answer.

Journey to Benares.

Sect. 36.

Bad Police of Cheit Sing's Country.

37. (A.) (B.)

Cheit Sing, by the Terms of his Sunnud, was bound to keep a well-regulated Police. See *supra*, Pa. 17.

Cheit Sing's Sunnud. 1596

In Breach of this Condition, the Police was universally bad.

Captain Eaton, commanding at Buxar, complains heavily of the insolent and hostile Conduct of Cheyt Sing's Officers towards his People, and of the Natives by them encouraged. Hopes for Redress from the Resident's Representation to the Raja. In a subsequent Letter he mentions the personal Insult of the Zemindar of Narainpore, and the rebellious State of the Inhabitants, who refuse to sell Grain, either for himself or his Troops.

1779, May 23.
1780, Nov. 3.
Eaton to the Resident. 1597

Sir Eyre Coote encloses a Petition of Birjausee Geer. His Brother, a Subhadar of Major Osborn, conducting a Body of Recruits from Captain Eaton, was killed, together with Ten Recruits, in an Affray between the Soldiers and the People of Mulnapore, within the Zemindary of Cheyt Sing. Sir Eyre requests that full Redress may be procured. In another Letter Sir Eyre desires that the Fougadar of Bellua may be reprimanded, for instigating his People to attack the Sepoys, sent out by Captain Eaton for Grain, one of whom was dangerously wounded. The Resident, in Answer to Captain Eaton's Letter of the 3d, tells him he shall represent his Complaints to the Rajah; but he supposes Recrimination will be the only Redress he shall procure; and he is convinced that the Interference of the Supreme Council is absolutely necessary to stop these Enormities.

1780, Aug. 1.
Coote to the Resident. 1598
Petition of Birjausee, &c.
1780, Aug. 3.
Coote to the Resident.
1780, Nov. 8.
Resident to Cap. Eaton. 1599

The Council then prove the perverse and daring Spirit subsisting in the Natives, upwards of Nine Months before Mr. Hastings went up to Benares; and that the Country was at that Time unsafe for Travellers, by Land or Water.

Captain Eaton acknowledges the Receipt of a Perwanna, and informs him of a fresh Instance of Violence committed by the Zemindar of Beerpore, upon three Gentlemen who were going to join the Army. He repeats the Circumstances of this Outrage to the Council, shews the Inefficacy of Applications for Redress, and insists upon the Necessity of stopping these Violences, as at present there is no Safety for the Traveller, either by Land or Water. Mr. Hastings, recapitulating to Cheyt Sing the Circumstances of these Complaints, requires him to bring the principal Offenders to Justice, or to answer it at his Peril.

1780, Nov. 17.
Eaton to the Resident.
1780, Nov. 16.
Eaton to the Council. 1600
1780, Dec. 14.
Mr. Hastings to Cheit Sing. 1601

Disaffection of Cheyt Sing.

Mr. Graham, the Resident, acquaints Mr. Hastings that Cheyt Sing, unknown to him, had visited his several Forts, and given Orders for all necessary Supplies and Repairs; and transmits a minute Account of the Locality and Strength of the Rajah's several Fortresses. About a Month afterwards, Mr. Graham relates his having accidentally met a small Party of Sepoys, with Four Pieces of Cannon, going to Ramnagur. That, on Inquiry, he found the Raja, for Eight Days past, had been drawing his Troops together from all Quarters, under Cover of the Night; and had withdrawn his Troops from Juanpore, and ordered Gunpowder to be manufactured for Ramnagur. Mr. Graham ascribes the Motives of Cheit Sing either to the providing for his own Safety, on Account of a French War, or to Lieutenant Dawes's Expedition. But he cannot attribute them to the latter, because he

1777, Mar. 8.
1777, April 6.
1779, May 13, 19.
Graham to Mr. Hastings. 1602 to 1606

Q

particularly

Mr. Hastings's Accusation of Cheyt Sing. His Defence.

Sect. 37. (A.) (B.)

Benares Narrative.
Cheit Sing to Mr.
Hastings.

116

Cheit Sing answers (to Mr. Hastings's Charges, Supra, Pa. 55, Sect. 37. (B.)), that after the Arrival of Sheak Ally Nucky, he observed all Mr. Hastings's Orders, and received a Declaration that every Suspicion was removed, and that the Raja must consider Mr. Hastings, as formerly, attentive, to him. But he had not experienced the same Generosities as formerly. His Letters had not been replied to. Therefore he sent Sadanund to represent his Attachment, and to learn Mr. Hastings's Disposition. From these Professions he never deviated.

With respect to the Payment of the 5 Lacks, he sent 1.00.000 Rupees, with an Answer to Mr. Hastings's Letter; afterwards, having paid to Mr. Fowke 1.70.000 Rupees, he sent a Letter, requesting further Time. To this he received no Reply. Notwithstanding, as soon as his Buxey (Sadanund) arrived, he immediately paid the Remainder. Remitting it to the Army, did not depend upon him; if it had, there should have been no Delay: if Delay happened

Disaffection of Cheyt Sing.

Sect. 37. (A.) (B.)

particularly interested himself, to obviate Cheit Sing's Apprehensions on Account of that Expedition. In May 1779, on the Authority of the Old Rannee, Mr. Graham complains, that Cheit Sing is surrounded with bad Advisers, who exhort him to put his Forces in a State of Defence, and to obey no Orders contrary to his Engagements with the Company. They boast to him, that with his Riches he may carry Fire and Sword to Calcutta. To accuse Cheit Sing of holding these Conversations, is to receive a flat and solemn Denial.

The Managers desire to know, whether the Counsel intend to produce Lieutenant Dawes's Instructions, and Mr. Hastings's Answers to Mr. Graham's Letters; to which they answer, that they have them not.

Mr. Fowke notices, Cheit Sing's Inattention to Mr. Hastings's Recommendation, the assembling of his Troops in a secret Manner, and the Concealment of their Number from him; yet he cannot ascribe any other Intention to the Raja, than that which he assigned, namely, the quelling of a refractory Zemindar.

1780, July 31.

1607

1780, Aug. 10.

Resident to Hastings.

Mr. Middleton expostulates with Cheit Sing for protecting Zalim Sing. Cheit Sing denies the Charge, and the Resident thinks Mr. Middleton has been misinformed.

1780, Nov. 30.

Middleton to the Resident.

1780, Dec. 10.

Resident to Middleton.

1608

Major Eaton swears, that from the general Conduct of Cheit Sing and his People, the Raja was disaffected to the English Government; and wished the Subversion thereof.

1781, Dec. 9.

Affidavit of Major Eaton.

Mr. Balfour communicates to Mr. Hastings, Circumstances of Cheit Sing's Disaffection, being the Substance of private Conversations, said to have passed, between the Raja and Saadut Ally, reported to Mr. Balfour, by a Person, in whom he had some Confidence.

1781, Aug. 28.

Balfour to Mr. Hastings.

Mr. Græme transmits to Mr. Hastings Captain Maxwell's Letter, proving the Guilt of the rebel Zemindars Baun Sing Roy, Shew Pershaud Roy, and Futteh Saw; and that the latter is protected and countenanced by Rajah Cheit Sing.

1781, Aug. 19.

Græme to Mr. Hastings.

1609

1781, Aug. 17.

Maxwell to Græme.

Major Macdonald swears, that Zalim Sing, the rebel Raja of Amora, being pursued by Deponent, took Refuge and was openly maintained by Cheit Sing. Doubts not but Cheit Sing, the Benares Rebel, was in League with the Begums, and that the Rebellion had been meditated some Years.

1781, Nov. 27.

Affidavit of Major Macdonald.

1610

The Counsel, to shew the good Quality of the Stores in Cheyt Sing's Forts, after the Company had taken them, produce Colonel Duff's Report, and the Opinion of the Board.

1782, Aug. 1.

Duff to the Council.

1611

1782, Aug. 12.

Minute of Council.

1612

Hurry Ram Pundit swears, that Cheit Sing met Mr. Hastings at Buxar with 2000 Men, that he might deter Mr. Hastings from making any Attempt upon him. Hindoo Sing swears to Cheit Sing's enticing away the English Sepoys. To the Affray that happened at Bullea, complained of by Sir Eyre Coote. To the Force which Cheit Sing carried with him to Buxar. To the Affair at Beerpore. To the Rajah's Inattention to Complaints made. Sheak Mahomed deposes to the military Preparation of Cheit Sing, with which he met Mr. Hastings at Buxar. And to the Number of Cheit Sing's Army after Hostilities began, amounting to 40,000 Men.

1781, Dec. 2.

Hurry Ram's Affidavit.

1613

1781, Dec. 9.

Hindoo Sing's Affidavit.

1615

1781, Dec. 3.

Sheak Mahomed's Affidavit.

(C.)

Mr. Hastings's Accusation of Cheyt Sing. His Defence.

Sect. 37. (C.)

happened he could not help it. He specifies the Times of Payment. 1st Shaubaun, 1.00.000—29th Ramzaun, 1.70.00—7th Shewal, 1.30.000—18th Shewal, 1.00.000 Rupees. The Rajah's Answer on the Head of Cavalry, is cited before, in Pa. 39.

He says, none of his Subjects, except Abdullah Beg, ever went to Calcutta. His Enemies, with a View to his Ruin, have made false Representations. Now, that happily for him, Mr. Hastings is come, Mr. Hastings will ascertain all Circumstances. He will know whether the Raja hath amused him by false Representations, or made a just Report. With regard to the Disorders of the Police, he asserts, that he has taken Security from his Aumils to suppress all such, and that he himself, in case of Murder or Robbery being committed, hath punished the Culprits, or taken every Means to bring them to Justice.

1781, Feb. 10.
Markham to Mr.
Hastings.
Examination of Mr.
Markham.

1712 With respect to the Police of Benares, it appears that Mr. Markham, the Resident, had a Guard given him by Rajah Cheyt Sing, of two Companies of Sepoys, for the Protection of himself and the City of Benares. Mr. Markham says, he employed this Guard in the Assistance of the Police.

Examinations, of Major
Osborne,
Mr. Wade.

1671 With regard to the Disaffection of Cheyt Sing, contrast the Testimony of Major Osborne
to
1675 and Mr. Wade, (See opposite) with their Examinations by the Managers.
1791
1792

Mr. Hastings never charged Cheyt Sing, with premeditated Disaffection, until after the Affray at Shewallah.

Proceedings of the Coun-
cil.
Mr. Hastings's Letter.
Benares Narrative.

89 In the Proceedings of the Fine of 2000l. upon Cheyt Sing, for delaying to pay the second
to Demand of 5 Lacks;—in the Letter written by Mr. Hastings himself to the Rajah, in the
91 Course of those Proceedings (Supra, Pa. 31), no Insinuation appears of a Charge of a deliberate
112 and systematic Conduct on the Part of Cheyt Sing, to subvert the Authority of the Company.

Mr. Hastings's De-
fence before the House
of Commons.

96 Mr. Hastings, in June 1780, when he accepted the Present of 20,000l. from Cheit Sing, by the Hands of Sadanund, and at the same Time received Assurances from Sadanund of the Obedience and Submission of the Rajah,—he then told Sadanund, that he cordially received his Master's Submission; (Supra, Pa. 35, 36. Sect. 30.) but mentioned nothing of his premeditated Disaffection.

Benares Narrative.
Affidavit of Major
Palmer.
Declaration of Mr.
Wheler.
Attestation of Mr. An-
derson.

273 Mr. Hastings, in his confidential Conversations with Major Palmer in June 1781; with
114 Mr. Wheler and Mr. Anderson in July 1781, on the Eve of his Departure for Benares, discloses to them the Purposes of his Mind with regard to Cheit Sing. (Supra, Pa. 41. Sect. 32. Pa. 47. 49. Sect. 34. (A.) but he does not intimate any Idea of a settled Disaffection in the Rajah.

Examination of Mr.
Markham.

1710 Mr. Hastings, does not mention such a Design in the Rajah to Mr. Markham, nor Mr.
1712 Markham to him, when he and Mr. Markham were together at Boglepore, afterwards at
1713 Chunar, and lastly at Benares, concerting the best Means of obtaining 500,000l. from the
1723 Rajah: which, Mr. Markham thought a large Sum. (Pa. 1720, Top, and Bottom.) Mr.
1695 Hastings, and Mr. Markham, in proposing to arrest Cheyt Sing, suppose that his Flight or
1723 Resistance, would be the Consequence, of coercive Measures, not, of a previous design to rebel.
1733
1734

1781, July 21.
Mr. Hastings to Lord
Macartney.

2674 Mr. Hastings, in his Letter to Lord Macartney, 23d of July 1781, conveys no such Idea against Cheit Sing. He slightly mentions Benares in the following words: "I left Calcutta on the 10th Instant, and hope to reach Benares by the Middle of next Month. I shall proceed to Lucknow, and expect to return to Calcutta before the End of October, if no very urgent Cause detains me, which I do not apprehend, beyond that Period." (See his Letter, cited Supra, Pa. 45.)

Benares Narrative.

112 Mr. Hastings, in his Narrative, says, that the Disobedience of Cheit Sing in the three Subsidies and the Cavalry, appeared to him as "Evidences, of a deliberate and systematic Conduct, aiming at the total Subversion of the Authority of the Company, and the
27 "Erection of his own Independency on its Ruins." In his Defence before the House of Commons, Mr. Hastings says, "certainly, at the Time when I did form the Design
"of making the Punishment of his" (Cheit Sing's) "former ill Conduct subservient to
"the Exigencies of the State, by a large Fine, I DID NOT BELIEVE HIM GUILTY OF THAT
"PREMEDITATED PROJECT FOR DRIVING THE ENGLISH OUT OF INDIA, with which I
"afterwards charged him."

Mr. Hastings's Defence
before the House of
Commons.

Difaffection of Cheyt Sing.

Sect. 37. (C.)

See Major Osborne's Testimony to Circumstances of the bad Police of the Country of Cheyt Sing.—To the total Want of a regular Police in the City of Benares, see Mr. Markham's Testimony.—To the meliorated Condition of the Police, after the Expulsion of Cheyt Sing, see Mr. Wade's Examination.

Upon the Difaffection of Cheyt Sing, Major Osborne specifies Instances. Mr. Markham communicated to Mr. Hastings, the Suspicions he had of Cheyt Sing's Fidelity to the Company. Mr. Wade, was forcibly struck by observing Parties of armed Men, coming from the Mahratta Country, into the District of Benares in June and July 1781. He considered this, as indicating Difaffection in Cheyt Sing. Colonel Popham thought the State of Cheyt Sing's Military Preparations, indicated a Purpose of immediate Hostility.

Examination of Major Osborne.	1665
Mr. Markham.	1666
Mr. Wade.	1692
	1790

Examination of Major Osborne.	1664
to	1667
Examination of Mr. Markham.	1713
Examination of Mr. Wade.	1788
Examination of Colonel Popham.	1800

Sect. 38. Yet Mr. Hastings did tyrannically order him to be put under Arrest in his own Palace, and loaded him with unmerited Indignities ;

which caused great Alarm among his Subjects, by disgracing their Prince in the Eyes of all Indostan, by being a Breach of Faith, by tending materially to weaken the Confidence, which the native Princes ought to have in the Justice and Moderation of the British Government.

39. And the Rajah did, after his Arrest, write several Letters full of Distress and Submission, and apparent Despondency, to Mr. Hastings,

who took little Notice of the same. Art. Pa. 6.

Arrest of Cheyt Sing.

Sect. 38.

Benares Narrative. 117
1781, Aug. 15. Mr. Hastings to Markham. 118

1781, Aug. 16. Markham to Mr. Hastings.

Examination of Colonel Gardner.

1774, Nov. 28. Suja Dowla to Mr. Hastings.

Examination of Mr. Markham.

117 118 Mr. Hastings being extremely dissatisfied with Cheyt Sing's Answer, couched, as he construes it, in Terms of Defiance, and declaratory of a Spirit of Independency, which he had for some Years past assumed, issued Orders to Mr. Markham the Resident, to put Cheyt Sing in Arrest, and directed two Companies of Sepoys to enforce the due Execution of the Order. The Rajah was the next Morning arrested at Shewallah Gait. To the Arrest he quietly submitted—his Forts, his Treasure, and his Life, he offered at Mr. Hastings's Feet, but he expressed himself much hurt at the Ignominy of Confinement, and prayed Mr. Markham to intercede for his Release. Mr. Markham left him under the Guard of the two Companies.

352 By the Arrest, Colonel Gardner says, Cheit Sing was disgraced in the Eyes of his Country, and he could not afterwards, have collected his Revenues without Force. The Sentiments of the Vizier Sujah Dowla, on the same Subject, written in Answer to Colonel Champion's Complaints, were put upon Record by Mr. Hastings himself. The Vizier says, that his Infantry think nothing of being put under a Guard; but others would rather lose their Lives than submit to such a Dishonour.

1695 Mr. Markham says, when he arrested Cheit Sing, he found him sitting in an open Hall. He told the Rajah, that the Governor General judged his Answer to the Letter, which Mr. Markham had before delivered to him, to be unsatisfactory; and that, on account of his Contumacy, in not having furnished the Horse, as required by the Board, and his Misconduct in the Delay of the Payment of the War Subsidy in 1780, the Governor General ordered him to consider himself, as under Arrest. Mr. Markham then speaks of the Rajah's attempt upon his own Life, and mentions the Assurances given by himself to the Rajah, that his life and his honour were safe.

Sect. 39.

Chey Sing's submissive Demeanor.

1781, Aug. 16. Cheit Sing to Mr. Hastings—3 Letters. Hastings to Cheit Sing.

118 Immediately on his Arrest, Cheyt Sing sent Mr. Hastings a Letter by Mr. Markham, and he dispatched a second, before Mr. Hastings could reply to the first. Both Letters strongly and unequivocally mark his extreme Submission, and his excessive Affliction at being placed under a Guard. Mr. Hastings, from the apparent Despondency, in which, he says these Letters were written, thought it proper to encourage the Raja by telling him to set his Mind at Rest, and not to conceive any Terror or Apprehension. To which Cheyt Sing, appealing to Mr. Hastings as his Protector, assures him that whatever he determines will be right.

Sect. 40. (A.) And a sudden Affray having arisen in consequence of a March of a Reinforcement of a Guard put over the Rajah, in consequence of the Indignities offered to him;

and a Part of the Guard having been destroyed by the Fury of the Populace, enraged by the Outrages offered to their Prince in their Presence;

and the Raja having fled for Safety, during the Tumult, to a Fort in the Neighbourhood;

(B.) he did immediately, and at divers Times afterwards, send other Letters of Submission to Mr. Hastings, requesting to justify himself, and offering to submit in all Things, to Mr. Hastings's Pleasure, who nevertheless constantly and peremptorily refused to listen to the same;

41. and at last, upon Pretence that the said Affray (really raised by his own Violence, Breach of Faith, and Oppression) was the Effect of a premeditated Design to overturn the British Empire in India, and that the Rajah aimed

Sect. 38. Mr. Hastings says, that at the Commencement of the Proceedings, which he then deemed, and now insists, were necessary, he did order the Rajah to be put under Arrest.

Denies that the Arrest was of such a Nature, attended with such Circumstances, or productive of such Effects, as are stated in the Article. Anf. Pa. 10.

39.

At a Time when it was attacked by Enemies on every Side, rather than listen to Terms of Accommodation, or Offers of Justification, from the Rajah.

and collecting around him the Troops of the Company, and finally expelled the Rajah from the City, which he held by Virtue of repeated Agreements from the Company, and which he had not forfeited by any Act of Treason or Rebellion.

Arrest of Cheyt Sing.

Sect. 38.

In consequence of which Arrest, and Expulsion, an angry War broke out, which extended into the neighbouring Provinces, much Blood was shed, and the whole Country thrown into Confusion.

which, Bloodshed, War, and Confusion, are clearly imputable to the Treason and culpable Impudence of Mr. Hastings. Anf. Pa. 67.

On the Subject of the Disgrace consequent upon an Arrest, the Counsel shew, that the Arrest of Persons in high Situations concerned in the Revenues, is usual in Cases of Misconduct. As in the Cases of Mahomed Reza Cawn, Rajah Shitabroy, and their Dewans, who were arrested on Charges of embezzling the Revenues, and sent under a Guard to Calcutta. Mr. Vanfittart, in proceeding against Shitabroy, was particularly attentive that he should be exposed to as little Dishonour as Circumstances would admit. In 1788 another Instance happened in the Rajah of Burdwan, who was confined by an Order of the Council, for not paying a Fine of 5,000 Rupees, imposed upon him in consequence of his Neglect to transmit the Accounts of the Baza Zemeen Lands.

1772, Apr. 28. 24. 27. 1616
May 7. 1617
Minutes of the Council.
Mr. Hastings to Middleton.
Middleton to Mr. Hastings.
Mr. Vanfittart to Mr. Hastings.
1788, Sep. 27 to Dec. 4. 1618
See the several Documents. 1620

From Major Popple's Report, it appears, that Lieutenant Bissell was dispatched with a Company on the first Rumour of Cheyt Sing's desertion; but the late of those who preceded him, was decided before he could enter the Palace. He cleared it of him, and the People as remained there.

Sect. 39.

From Major Popple's Report, it appears, that Lieutenant Bissell was dispatched with a Company on the first Rumour of Cheyt Sing's desertion; but the late of those who preceded him, was decided before he could enter the Palace. He cleared it of him, and the People as remained there.

Mr. Hastings says, that Cheyt Sing, in the Month of the Contention, escaped in a Boat to Ramnagar, his usual Residence, on the opposite Shore, fled from thence at Night, with his Zenana and Effects, to Lucknow, leaving Ramnagar in Charge of Goudganger Sing, and his Family.

Sect. 40. A. Says, that a Party of Sepoys having been placed as a Guard over the Raja, a Body of the Raja's Troops, in his Presence, attacked the Guard, the greatest Part of which, both Officers and Men, were killed or wounded.

Denies that the Attack was of such a Nature, or attended by such Circumstances, as mentioned in the Article.

B. Admits that the Raja did send the Letter stated in the Article; to which, for sufficient Reasons, he returned no Answer.

41. Admits that he imputed the Rebellion to the Designs and Intentions of the Raja as suggested in the Article.

Denies

Cheyt Sing's submissive Demeanor.

Sect. 41.

aimed at the total Subversion of the Company, and the Erection of his own Independancy; and upon other Allegations equally untrue and incredible—

42. Mr. Hastings hazarded the Safety of the Empire, upon the Event of a
43. Civil War,
44.

at a Time when it was attacked by Enemies on every Side, rather than listen to Terms of Accommodation, or Offers of Justification, from the Rajah;

and collecting around him, the Troops of the Company, tyrannically expelled the Rajah from those Territories, which he held by Virtue of repeated Agreements from the Company, and which he had not forfeited by any Act previous to his violent and unjust Imprisonment;—

In consequence of which Arrest, and Expulsion, an unjust War arose, which extended into the neighbouring Provinces, much Blood was shed, and the whole Country thrown into Confusion;

which Bloodshed, War, and Confusion, are solely imputable to the Tyranny, and culpable Improvidence of Mr. Hastings. Art. Pa. 6.

Massacre at Shewallah. Escape of Cheit Sing.

40. (A.)

Benares Narrative.

- 118 Mr. Hastings says, that before Mr. Markham could set out with the second Instructions which he had prepared, Intelligence came that Bodies of Men had proceeded across the River from Ramnagar to Cheit Sing's House. The two Companies commanded by Lieutenants Stalker, Scott, and Symes, left as a Guard over the Rajah, had taken no Ammunition. They were stationed in an inclosed Square, which surrounded Cheit Sing's Apartment. Major Popham sent another Company, with Ammunition to support the first Party. When the latter arrived at the Rajah's House, they found it surrounded by a Multitude of armed Men, who opposed their Passage. The Minds of this tumultuous Assembly, becoming soon inflamed, some of them began to fire upon the Sepoys within the Square, and immediately, as if this had been the concerted Signal, made an instantaneous and fierce Attack on the Sepoys; who, wanting their accustomed Means of Defence, were capable of making but a feeble Resistance, and fell, an easy Sacrifice to the superior Number of their Assailants, who cut almost every Man to Pieces. The Officers (Stalker, Scott, and Symes), it is supposed, were the first Victims to their Fury; but not until they had, by astonishing Efforts of Bravery, and undismayed amidst the imminent Dangers which surrounded them, involved a much superior Number in their Fate. In this general Report of them, all Accounts concur, though varying in Circumstances.

1781, Aug. 16.
Popham to Mr. Hastings.

- 119 From Major Popham it appears, that Lieutenant Birrell was dispatched with a Company, on the first Rumour of Cheyt Sing's coercive Intentions; but the Fate of those who preceded him, was decided before he could enter the Palace. He cleared it of such of the Rajah's People as remained there.

Benares Narrative.

- 118 Mr. Hastings says, that Cheit Sing, in the Midst of the Confusion, escaped in a Boat to
119 Ramnagar, his usual Residence, on the opposite Shore; fled from thence at Night, with his Zenana and Effects, to Lutteespore, leaving Ramnagar in Charge of Gudgeraunge Sing. Doorbidgey Sing (Son-in-law of Ranny Golaub Kooer, the Widow of Bulwant Sing), and his two Sons, one of whom was Mehpnarain, remained at Benares.

1781, Dec. 2, 3.
Affidavits of
Jewan Ram,
Ruggoobur Sing,
Sheak Hossain,
Bishen Sing.

- 274 The Substance of the leading Circumstances of the Massacre, as related by Lieutenant
275 Stalker's Men, who survived, and swore in Support of the Facts contained in Mr. Hastings's
249 Narrative, is, that the three Officers, Stalker, Scott, and Symes, and Eight or Ten
251 Sepoys, and about 40 of the Rajah's People armed, were within the inner Gate, close to Cheyt Sing's Apartment. That the two Companies remained on the Outside of the inner Gate, and about 300 of the Rajah's Peons armed, assembled after the Rajah's Arrest, in the same Place. That they made Attempts to force their Way into the interior Place, but were repulsed by the two Companies; that they became irritated, but on the Officers and Cheyt Sing's interfering, and forbidding the Rajah's People to make Disturbance, the Affair subsided. That about 12 o'Clock, whilst the Rajah was performing his Devotions, Mr.

Arrest of Cheyt Sing.

Sect. 41.

Denies that it was raised by any Violence of his; Breach of Faith, or Oppression.

42. Denies that he did unnecessarily or criminally, hazard the Safety of the

43. Empire, on the Event of a Civil War.

44. Says, that in Discharge of his public Duty, he expelled the Raja from

the Zemindary which he had forfeited; but in so doing, he denies that he acted tyrannically.

Denies that the subsequent War on the Part of the Company was unjust; or that the Consequences are imputable to him, or that he was guilty of any Tyranny, or Improvidence in respect thereof. Anf. Pa. 10.

Massacre at Shewallah.

Sect. 40. (A.)

Lieutenant David Birrell, who commanded a Company of about 80 Sepoys, sent to escort Ammunition to the two Companies, left as a Guard over the Rajah, says, that at a Distance of between two or three hundred Yards from Shewallah, his March was opposed by an armed Force of regular and irregular Troops, about 1200 Men. These Men, upon Lieutenant Birrell's attempting to advance, fired upon his Company, before a Musket was taken from the Shoulder of any one of them. The Lieutenant returned their Fire, defeated them, and made his Way to Shewallah; when he found the Guard massacred, and the Bodies of Stalker, Scott, and Symes, mangled in a shocking manner.

He was near enough to Shewallah, to have heard Firing, if any had happened there: none had taken place within the Enclosure before he himself was fired upon.

Mincoo Sing, who was principally concerned in slaughtering the Guard at Shewallah, was protected by Mr. Hastings's Passport; and Colonel Blair was not suffered to approach him.

The Towers constructed by Cheyt Sing at Rangoon, were building in April 1781. The Colonel made no Remonstrance to Mr. Hastings, at that Time, of the increasing Appearance of these Towers. Rangoon was the Rajah's ordinary Residence: and it was in the View of Benares.

Upon the Protection laid to be given to Rajah Feroze Sah by Cheyt Sing—Mr. Gurney says, the Rajah originally possessed Land in Haffy-pore. He cannot say, whether the Application of "Rebel" was properly applied by him to Feroze Sah. He was a Man of very high Cast. The common People had great Veneration for him. The Information received by Mr. Gurney, that Cheyt Sing protected him, was verbal, from Haffy-pore. From the Rajah of their Information, he believes Feroze Sah was so protected.

Examination of Lieutenant Birrell. 1772 1773 1774

Examination of Mr. Gurney. 1781

Maffacre at Shewallah. Escape of Cheyt Sing.

Sect. 40. (A.)

Markham's Chubdar, Cheit Ram, came with a Message, which he delivered in a loud and menacing Tone to the Rajah. That at this Instant the Officers and Men in the Interior were fired upon by the Rajah's People from the outer Wall; the Peons attacked the two Companies in the outer Space; and the 40 Men belonging to the Rajah attacked the Officers and few Sepoys stationed within the inner Wall. That the Officers, and nearly all the Men, were cut to Pieces. Ruggoobur Sing heard, and recites Cheit Ram's Message: "he told the Rajah to order his People to defist; that he was Cheit Ram, and that the Rajah was but Cheit Sing; and that if the Rajah did not make his People defist, he would confine him."

Cheyt Sing's submissive Exculpation.

(B.)

Mr. Hastings on the 20th and 21st August, and afterwards, whilst he lay at Chunar, received numerous Letters and Applications from Cheit Sing, containing Acknowledgments and Professions of Submission; Assertions of his own Innocence, charging the Maffacre to the Insults of the Chubdar, which provoked the Resentment of his Servants, whom he could not restrain. All which Letters and Applications Mr. Hastings refused to answer, as he admits.

Benares Narrative. 271
1781, Aug. 21. 195
Cheyt Sing to Mr. Hastings. 275
1781, Sept. 25. 276
Cheyt Sing to Mr. Hastings. 205
Cheyt Sing to Beneram Pundit. 210
Barnet to Mr. Hastings. 211
Palmer to Barnett. 120
109.

Examination of Colonel Gardner. 251

Colonel Gardner says, that on the second Day after the Affair at Shewallah, Govind Ram, a Man of Consequence at Benares, desired the Colonel would intercede with Mr. Markham for Cheit Sing, but Mr. Markham refused to communicate the Matter to Mr. Hastings. Still, Govind Ram was anxious that something should be done for the Rajah.

Examination of Colonel Blair. 1779

With Regard to Cheyt Sing's Conduct after the Maffacre, Colonel Blair, being asked how he knew that deliberate Murders (particularly the Maffacre of Jean Honore's Companions) were, as he said, committed by Cheyt Sing, says, he heard it from every Person who conversed upon the Subject. He knew nothing of it himself.

1781. Colonel Blair says, he heard that Cantoo Baboo, the principal Dewan of Mr. Hastings, and an English Gentleman of the Name of Barnett, were actually in the Custody of Cheyt Sing. The Colonel saw Mr. Barnett after his Release, and he heard that Cantoo was released.

Nuncoo Sing, who was principally concerned in slaughtering the Guard at Shewallah, was protected by Mr. Hastings's Passport; and Colonel Blair was not suffered to apprehend him.

The Towers constructed by Cheyt Sing at Ramnagur, were building in April 1781. The Colonel made no Remonstrance to Mr. Hastings, at that Time, of the menacing Appearance of these Towers. Ramnagur was the Rajah's ordinary Residence: and it was in the View of Benares.

Examination of Mr. Græme. 1786
1787

Upon the Protection said to be given to Rajah Futté Sah by Cheyt Sing—Mr. Græme says, the Rajah originally possessed Land in Hufeypore. He cannot say, whether the Appellation of "Rebel" was properly applied by him to Futté Sah. He was a Man of very high Cast. The common People had great Veneration for him. The Information received by Mr. Græme, that Cheyt Sing protected him, was verbal, from Hircarras. From the Result of their Information, he believes Futté Sah was so protected.

Mr.

Sect. 40. (A.)

The Conduct of Cheyt Sing after the Massacre.

(B.)

At the Time Cheyt Sing wrote the Letters mentioned in the Charge, he had a considerable Force, and was exciting the Country against the English, and issuing Mandates to put them to Death wherever they could be found.

Mr. Rofs, the Chief of Patna, acquaints the Council of the Dawk being stopped since the 16th of August, and of the River being lined with the Rajah's Troops. Captain Noke, on his March to Benares, writes to Captain Hall the Intelligence of many Disasters that had befallen the Company's Arms. Mr. Græme apprizes the Council of the Danger of Huseypore, from Futtè Sah at the Head of 1500 Men, which he had been long collecting in Cheit Sing's Country; and of Colonel Ahmuty's Inability to send him any Assistance. Mr. Græme in another Letter, cites Intelligence received from an Officer of Captain Maxwell's Battalion, marching to join Major Crawford; and shews the Difficulties it will have to encounter from the Opposition of three several Armies under the Command of Buckat Roy, Bullub Ram, and Meer Sheriff Ally. On the 15th of September, Mr. Græme says, Cheit Sing had excited the Zemindars of Sircar Sarum to join him, and to kill every European and Sepoy they could meet with. One of the Rajah's Letters to this Purport, to Dirjou Sing, was brought to Mr. Græme. He states Huseypore to be in the Possession of Futtè Sah, assisted with Money by Cheyt Sing, and reinforced by Genoo Roy and Adjeet Mull.

Contoo Dofs Patnimul, and Gore Pershaud (Pa. 1629 and 1639) severally depose, that on the 1st, Ramzan, Diaram, appointed Aumeen of Benares by Sujaun Sing, proclaimed there, that whoever protected the English should be punished. Cheyt Sing commands and stimulates Dadjoo Sing to join him and Futtè Sa, and to plunder and cut off the English and Sepoys. Denoo Sing swears he heard that Futtè Sa, Genoo Roy, and Adjeet Mull, had determined to attack Captain Williams in pursuance of the same Injunctions from the Rajah. To this Fact, and also to the furnishing of Futtè Sa with Money by Cheyt Sing, depose Ram Sing, Hurdeal Sing, Doond Sing, Mr. Middleton, and Colonel Hannay.

To the Letters above mentioned, of Cheyt Sing to Dadjoo (or Durjoo) Sing, Mr. Græme speaks in his Examination.

Gudgerauge Sing, Sheakh Mahomed, and Gore Pershaud (Pa. 1640), depose to an Attack intended against Mr. Hastings at Mahadew Dofs's Garden, on the Night he quitted it, and retreated to Chunar. Hyder Beg relates two Conversations between him and the Vackeel of Cheyt Sing, whilst Mr. Hastings was at Chunar. The Purport of them was, on the Part of the Vackeel, to engage the Vizier in the Rajah's Cause, depending upon which, he would collect 100,000 Men, go to Calcutta, and annihilate the English:—on the Part of Hyder, to shew the inviolable Attachment of the Vizier to the English, and the certain Destruction to himself of the Rajah's Projects, and to persuade him to lay aside such Thoughts. Sheakh Mahomed, one of Cheit Sing's Officers, says that the Troops in his Master's Service were 22,190, which was further increased by Husbandmen, &c. to nearly 40,000 Men. Mr. Hastings says, his Forts were strong, his Wealth immense; in this Respect he looked upon himself as invincible. His other Resources "were delusory, which the false and violent Counsels of his Brother Soojaun Sing, and his Buxey Sadanund, imposed on his Inexperience, and the Pliancy and Aptitude of his Disposition." As a Trait of the Rajah's sanguinary Character, Mr. Hastings instances the Butchery of 14 Men left sick at Mirzapore, almost in the Rajah's Presence.

Mr. Markham says, that none of the Persons, concerned in the Massacre, were ever sent, by the Rajah, to the English, to be punished. Lieutenant Birrell, states the Force of the Rajah, encamped at Pateeta, to be about 5000 Infantry, with a large Body of Cavalry. The number of the English killed, in storming the Enemy's Guns, was about 100. Mr. Wade says, he knew Jean Honore—who gave the same Account to him, as is contained in his Affidavit, (Supra) of the Massacre in cold Blood, of his Companions near Lutteespore.

Mr.

1781, Aug. 28.	1622
Rofs to the Council.	to
1781, Aug. 25.	1626
Noke to Hall.	
1781, Aug. 27.	
Græme to the Council.	
1781, Aug. 26. Sept. 11.	
Ahmuty to Græme.	
1781, Sept. 15.	
Græme to the Council.	

1781, Dec. 2.	1626
Affidavits of	1628
Contoo Dofs Patnimul,	1629
Gore Pershaud.	
4. Baudoon, 10. Kawwar.	
Cheyt Sing to Dadjoo	
Sing.	
Affidavits of	1627
Denoo Sing, Ram Sing,	to
Hurdeal Sing, Doond	1629
Sing, Middleton, and	
Hannay.	
Examination of Mr.	1785
Græme.	

Affidavits of	1630
Gudgerauge Sing,	1631
Sheakh Mahomed,	
Gore Pershaud, Hyder	
Beg, Sheakh Mahomed.	

Benares Narrative.	1632
1781, Dec. 5.	
Crabb to Mr. Hastings.	1633
Affidavit of Jean Honore.	
1781, Oct. 8.	
Blair to the Council.	
Examination of Mr.	1699
Markham.	
Lieut. Birrell.	1774
Mr. Wade.	1790

Cheyt Sing's submissive Exculpation.

40. (B.)

Mr. Hastings's Assertion of Cheyt Sing's premeditated evil Designs;
and the Falseness of that Assertion.

Sect. 41.

Benares Narrative.

112
upper
part.
117
top.

Mr. Hastings ascribes the Disobedience of the Rajah in 1778, 1779, and 1780, and the haughty Stile of his Defence to Mr. Hastings's Charges, to a deliberate Conduct, aiming at the Subversion of the Authority of the Company, and the Erection of his own Independency on its Ruins. It was reported that his Wealth was vast, his military Strength improving; his Fortresses well stored; that he corresponded with the Mahrattas and others who were, or might be, our Enemies; and he had prepared for open Revolt.

Examination of Colonel
Gardner.348
349
352

Colonel Gardner, who resided for a number of Years within 15 Miles of Benares, says the People seemed attached to their native Government. Cheyt Sing was gentle in his Manners. He would not have opposed by Force the Payment of even 50 Lacks. Previous to August, 1781, he saw no Indications of Revolt or Disaffection in Cheyt Sing; nor any Appearance of Design to attack Mr. Hastings, when he arrived at Benares on the 14th of August. The Tumult at Shewallah was a sudden Affray. Afterwards, if the Rajah had premeditated, he might have cut off Mr. Hastings and his People. Bidgegur was always a garrisoned Place. What Addition Cheyt Sing had made to his Forts gave no Alarm to Government. The Gentleness of Cheyt Sing is allowed by Mr. Hastings in his Observations upon the Influence of his Brother. (Pa. 66, Line 12, from Bottom.)

Benares Narrative.

As to further Points of the alledged premeditated Disaffection, of Cheyt Sing, see Supra, Pa. 59.

The War.

42, 43, 44.

Benares Narrative.

120

If Cheyt Sing's People, after they had rescued Cheyt Sing, had proceeded to Mr. Hastings's Quarters at Mahadew Dofs's Garden, instead of crowding after him across the River, Mr. Hastings says, that he and his Party must have been added to the Carnage, and India would have been lost.

121

The first Effects of the War which arose in consequence of the above violent Measures, produced the Deaths of Captains Mayaffre and Doxat, and 107 Men, at the Assault of Ramnagar. Orders were immediately issued to all the military Stations for Assistance.

124

One Half of Oude was in complete Rebellion. On the 3d of September, the Camp at

128

Pateeta, was surprised by Captain Blair, and a successful but bloody Action ensued. On the 20th, Major Popham took the Fort of Pateeta by Storm; and the Pass of Luttee-poore was forced by Major Crabb.

These concurrent Successes alarmed the Rajah for his own personal Safety; he fled from Luttee-poore to Bidgegur, his last Refuge.

129

The whole Country became quiet, and Mr. Hastings, on the 26th of September, returned to Benares.

130

Major Popham, having gained Possession of Luttee-poore, prosecuted his March to Bidgegur. Cheyt Sing, taking with him as much Treasure as his Elephants and Camels could carry, left the Fort, and fled to Panna, the Capital of Boondelcund.

Sect. 45.

The Article then concludes,

That, in all the above illegal Acts, repeated Demands, extorsive Exactions, arbitrary Arrest, and final Expulsion of Cheyt Sing, upon Pretences many of which were never suggested by Mr. Hastings till after the Expulsion,

6

Mr.

The Conduct of Cheyt Sing after the Massacre.

Sect. 40. (B.)

Mr. Wheeler entirely concurs with Mr. Hastings in his Construction of Cheyt Sing's Conduct, and in the Propriety and Necessity of the Measures adopted by him down to the Appointment of Oufan Sing. The Council, possessed of the same Sentiments, resolve to issue a Proclamation for the Purpose of preventing the ill Effects of Cheyt Sing's Machinations with the other Zemindars, and of manifesting their Determination to support the Governor General. Mr. Hastings suppresses this Proclamation, having previously issued one of his own at Benares. (Infra Pa. 73.) The Council confirm, under one united Head of Approbation, all Mr. Hastings's Arrangements at Benares.

1781, Sep. 4. Minute of Mr. Wheeler. 1635
1781, Oct. 8. Minute, and Proclamation of the Council. 1637
1781, Oct. 18. Sept. 29. Mr. Hastings to the Council, and his Proclamation.
1781, Dec. 3. Council to Mr. Hastings.

The Massacre not a sudden Affray, but an Attack by the regular Forces of Cheyt Sing.

Sect. 41.

Sheakh Mahomed deposes, that when the Arrest of the Rajah was known, 4000 of his People stationed round Shewallah, were armed, and prepared for Action; and that they first fired upon the Company's Troops. To the same Effect is Bishen Sing's Affidavit. He saw the Rajah's People arming and preparing to Attack the Guard, exclaiming that the English had made their Rajah a Prisoner.

1781, Dec. 3. Affidavits of Sheakh Mahomed, Bishen Sing. 1620
1621

See Lieutenant Birrell's Examination, Supra. Pa. 64.

The War.

42, 43, 44.

Sect. 45. Mr. Hastings denies, in toto, the Whole of this Section, and denies that he has been guilty of any Crime or Misdemeanour whatsoever.

T

Sect.

Sect. 45.

Mr. Hastings acted contrary to Treaties, to his Trust, and to his own declared Sense of his Duty,

and thereby greatly discredited the Character of the British Nation in India;

and is thereby guilty of high Crimes and Misdemeanors.

Sect. 46. Further, Mr. Hastings did, after the Flight of Cheit Sing, direct an Attack to be made upon the Fortrefs of Bidgegur, the Residence of Panna, the Mother of the Rajah, and of the surviving Women of the Family of Bulwant Sing,

and ordered Troops to dispossess them, and to seize their Money and Effects,

without pretending that they had committed any Offence, and without enquiring whether the Treasures in the Fortrefs belonged to the Women, or the Rajah; and Mr. Hastings did not then alledge, nor hath he since, that the Ladies were concerned in any of the Designs falsely imputed to Cheyt Sing.

Yet he caused the Fortrefs to be seized,

and stimulated the Army to Rapine and Outrage by his Orders, that the Property it contained, should be secured for the Benefit of the Detachment reducing it;

and by abandoning to the Soldiery all the Property of the Women of every Sort;

contrary to the Practice of civilised Nations, and particularly offensive to the Manners of the East, and the Respect there paid to the female Sex. Art. Pa. 6.

Sect. 47. And Mr. Hastings prohibited Major Popham, the commanding Officer employed in the above Service, from entering into any Conditions with the Mother of the Raja, even for a Provision;

and declared, that if she disappointed the Expectations of Mr. Hastings, or did not, comply with certain Terms proposed to her by him, in consequence of Overtures from her, he would consider it as a wanton Affront, and would never forgive it.

Sect. 48. The Mother of the Rajah having surrendered the Fortrefs upon certain Terms, rather than incur the Dangers with which she was threatened by Mr. Hastings,

the Terms of the Capitulation were violated, and the Lady, her Relations, and Dependants, were plundered in consequence of the Spirit of Rapacity excited by the Acts of Mr. Hastings, and his abandoning the Plunder of the Fort to the Soldiery.

Sect. 49. which giving up of the Plunder was done without any competent Authority;

in

Sect. 45.

Sect. 46. Mr. Hastings says, that after the Company's Troops had been cut off, and Cheit Sing had broken his Arrest at Benares, and whilst he was at the Head of a numerous Force, and carried on War and Rebellion against the Company, he did direct an Attack to be made upon Bidgegur, garrisoned by the Troops of Cheit Sing.

Admits that the Rajah's Mother, and the other Women, were there.

Admits that he gave Orders to seize the Fort, and the Money and Effects therein contained.

Denies that he issued any Orders whereby the Property was to be secured for the Benefit of the Detachment;

or that he abandoned to the Soldiery, the Property of the Women, or stimulated them to Rapine or Outrage.—Ans. Pa. 108

Sect. 47.

Says, that Panna, having proposed the Surrender of the Fort and Treasure, he declared to Major Popham, that he accepted the same upon her own Conditions, provided the Proposal was carried into Effect in Twenty-four Hours.

And intimated, that if she should refuse or delay the Execution of her Promise, that he would consider it as a wanton Affront and Indignity, which he could never forgive.

Sect. 48. Says, that being at a Distance from the Fort, he was informed by Major Popham that Panna and her Family, having left the Fort at a late Hour, which prevented sufficient Attention being paid to her;

her People, notwithstanding all Major Popham could do, were plundered of the Things they brought away, by the Followers of the Army, by which the Articles of the Surrender were much infringed,

that the Distress felt by Major Popham, on that Occasion, could not be expressed, and could only be allayed by a rigorous Enforcement of the other Articles of the Treaty.

Mr. Hastings says, upon the Receipt of the above Information, he wrote to Major Popham, expressing his Concern for what had happened, hoping that he would punish the Offenders, and oblige them to make Restitution; and relying upon the Major to make Recompence by a scrupulous Attention to the remaining Articles in Favour of Panna.

Believes that an adequate Compensation was made to the People plundered in consequence of such Letters.

Sect. 49. Denies that he ever gave any Permission to the Soldiers to plunder,

Sect.

ARTICLE FIRST, BENARES.—PROSECUTION.

Sect. 49.

in direct Contradiction to the Orders of his Masters, and of his own Sense of his public Duty; as, in his Opinion, it would necessarily tend to bring Corruption and Ruin to the Army.

Sect. 50. After such Licence given to the Soldiery to plunder, and after the Spoil had been actually divided,

Mr. Hastings retracted his Declaration of Right, and his Permission to the Soldiers to appropriate the Plunder to themselves, and endeavoured to explain away that Permission, and to recover the Spoil from the Soldiery.

But having failed in this Attempt to resume, by a Breach of Faith with the Soldiers, what he had granted, by a Breach of Duty to his Constituents, he then attempted to obtain the same from the Soldiers as a Loan;

and failing in this Attempt also, and this Spoil being the only Part of the Treasure belonging to the Raja, Mr. Hastings was frustrated in the Acquisition of every Part of that dishonourable Object, which alone he had pretended to, and pursued through a long Series of Acts of Injustice, Inhumanity, Oppression, Violence, and Bloodshed, to the great Risk, even in his own Opinion, of the total Subversion of the British Empire. Art. Pa. 7.

Siege, Surrender, and Plunder of Bidgegur.

Sect. 46. 47. 48. 49.

Benares Narrative.
1781, Oct. 22.
Mr. Hastings to Popham.

1781, Nov. 3.
Mr. Hastings to Popham.

272 The Rajah left in the Fort his Wife, an amiable Woman, his Mother Panna, and all
282 the other Women of his Family, and the Survivors of the Family of Bulwant Sing. The Place being besieged by Major Popham, the Rannee proposed Terms of Capitulation. Mr. Hastings declares his Opinion to the Major, that every Demand except for the Safety of her Person, is unreasonable. He intimates his Suspicions, that she will defraud the Captors of their Booty: this is the Major's Consideration, not his; but he should be sorry the Troops lost the Reward to which they are so well intitled. As to permitting her to hold any Property in the Zemindary, or making any Conditions with her for a Provision, Mr. Hastings tells Major Popham he will never consent to it. Afterwards, he accedes to Panna's Propositions for the immediate Surrender of the Fort and the Treasure within 24 Hours: reserving only such Articles as the Major should be disposed to indulge her with—"it will," he says, "be your Part to secure the Fort and the Property it contains, for the Benefit of yourself and Detachment." But if she delays the Execution of her Promise, and disappoints Mr. Hastings, he declares, he shall consider it a wanton Affront and Indignity which he never can forgive.

Robbery of the Ladies.

1781, Nov. 10. 12.
Popham to Mr. Hastings.

On the 9th of November the Fort was evacuated. The Ladies, notwithstanding Major Popham's Exertions, were, through the Licentiousness of the Soldiery, plundered of most of the Things they brought out. The Rannee was desirous of fixing her Residence at Benares, but to be independant of the old Rannee, the new Rajah, and Ouffan Sing, and of keeping her two Houses at Benares and at Gungapore.

Examination of Major 1808
Popham. 1809

See Major Popham's Examination on this Subject.

Sect. 49.

Sect. 50. or that he made any such Declaration of Right as in the Article is alledged;

but he says, that having received Information that the Property in the Fort had been distributed among the Troops, he wrote, on the 14th of November, 1781, to Major Popham, amongst other Things, as follows: "The Subject on which I am now to write is a very disagreeable and painful one to me"—citing the Words of the Evidence down to—"represented it to me as I am so near you"—Proceeding farther from—"I must therefore require of you to suspend"—ending with—"final Decision of the Board." (Infra, below, and Pa. 74.)

Denies that he was guilty of any Breach of Faith with the Troops, or of Duty to his Constituents;

or that he has pursued any dishonourable Object, or been guilty of any Act of Injustice, or been guilty of any Crime or Misdemeanor whatsoever. —Ans. Pa. 11.

Bidgegur.

Sect. 46. 47. 48. 49. 50.

The Counsel, upon this Subject, produce the Documents which had been placed upon the Minutes by the Managers, but not all read.

1781, Oct. 22. to 1640
1782, May 23. to
See the several Documents. 1647

The Minute of Mr. Hastings of the 23d of May 1782, (Infra, Pa. 73.)

Mr. Hastings's Letter of the 22d of Oct. 1781, (Supra, Pa. 71.), and of the 3d of Nov. (Supra, Pa. 71.) Major Popham's Letter of the 12th of Nov. 1781, (Supra, Pa. 71.), stating, that by the Licentiousness of the Soldiers, the Ladies coming out of the Fort, had been plundered, and the Articles been much infringed; that it gave him great Concern, and that he should enforce a strict Performance of the remaining Articles: that the Delay in surrendering up the Fort, had at first created Suspensions of Treachery: and that every possible Attention should be paid for the Accommodation of the Rannee: Mr. Hastings's Letter of the 14th of November 1781, (Infra, Pa. 73.), wherein he declares the Concern he feels from the Licentiousness of the Soldiery, advises that they be punished, and obliged to make Restitution; and recommends a scrupulous Attention to the remaining Stipulations: permits the Ladies to choose their Residence. See the Examinations of Major Popham and Mr. Markham.

1781, Nov. 14. 1643
Mr. Hastings to Popham.

Examination of Major 1802
Popham. 1803
Mr. Markham. 1707

The Letter last mentioned also contains the Passages cited at length in the Answer.—
"The Subject on which I am now to write is a very disagreeable and painful one to me,
"but indispensable. I have received Information which, though private, is certainly
"authentic, that you have already distributed one Dividend of the Treasure found in Bidgy
"Gur, amongst the Officers and Troops on the Spot. If this be true, I am very sorry for it,
"as, on many Considerations, it appears to me that such Distribution is premature. I apprehend that it is a Proposition, not to be disputed, that every Thing acquired by the Arms
"of a State belongs to the State which employed those Arms. By Charters and Acts of
"Parliament, the sole Right to all Conquests or Captures made by the Company's Arms
"were vested in the Company. It was, however, my Intention to have used my utmost
"Authority and Influence, to have obtained for the Troops engaged in the Service against
"Cheit Sing, the whole Booty which might be found in Bidgygur, or other Places. I
"regarded it as the due Reward of their Services, and Recompence of their Sufferings,
"but I never meant that they should seize it and scramble for it. Besides, if the actual
"Right was in the Army, at a Time like this, when the Exigencies of the Company are
"so

Bidgegur.—Plunder forbidden.

Sect. 46, 47, 48, 49.

1774, May 21. June 3.
Council to Champion.
Mr. Hastings to Cham-
pion.

291 Mr. Hastings, on the Subject of the Troops dividing the Riches acquired by the Vizier,
292 in the Rohilla War, as Prize Money, is alarmed, lest Colonel Champion should encourage
such a Notion. "It is to be avoided like Poison." The Council precisely agree with
Mr. Hastings, and remind Colonel Champion that the Directors judged the Practice
would necessarily bring Corruption and Ruin on their Army.

Mr. Hastings retracts the Gift he had made of the Plunder.

Sect. 50.

1781, Nov. 14.
Mr. Hastings to Popham.

284 Bidgegur was captured on the 9th. Intelligence arrived that the Soldiery had begun to
divide the Treasure. Mr. Hastings expresses his Sorrow to Major Popham that any Dis-
tribution of so large a Booty should take place without the Sanction of the Board. He insists
upon the Company's Right to the Treasure. But it was his Intention to have obtained the
whole Booty for the Troops—not that they should seize it. Even if the Right was in the
Army, yet the Company, in these Times of Exigency, might have expected the Treasure

1781, Nov. 16.
Mr. Popham to Hastings.

284 as a Loan. He forbids any further Division, and requires the Soldiers to refund. Major
Popham in Answer, cites Mr. Hastings's Letter of the 22d of Oct. under which he acted
in distributing the Plunder. Answers for the Readiness of the Officers to assist the Com-
pany by a Loan individually, as far as Circumstances would allow. The Major thinks he

1781, Nov. 18, 19.
Mr. Hastings to Popham.
Officers to Mr. Hastings.

286 is not competent to order a refund. Mr. Hastings replies, that his Letters were private,
287 and not official: expressive only of his own Opinion, which he would have recommended
to the Adoption of the Board. He protests against the Distribution. The Officers, found
the Propriety of the Division as well upon Custom as upon Mr. Hastings's Letters, and

1782, Apr. May.
Officers to Mr. Auriol
the Secretary.

289 submit the Remainder of the Property to his Disposal. In April and May 1782, several
290 Gentlemen, Sharers of the Plunder, inform Mr. Auriol upon the Point of submitting to
291 the Board their Right to the Booty, that they had applied their Prize Money in Liqui-
dation of their private Incumbrances.

1782, May 23.
Minute of Mr. Hastings.

281 Mr. Hastings now records his Correspondence with Major Popham on this Subject: he denies
that he ever invested him with a full or any Power, to distribute the Treasure found in the Fort,
or that he had ever any such Intention, or that any, even forced, Construction of his Letters, could
prove it. When he left Benares he had Hopes given him of a different Termination of this
Affair; he is not solicitous either to compel the Officers to refund or to lend; he is most anxious
to establish the Right, and to insure a fair Distribution. The Subject being of personal Delicacy
to himself, he leaves the Board to propose what may be necessary to be done. The Board resolve
291 to commence a Suit against the Officers, for refusing to submit their Rights to the Determination of
the Board.

Examination of Major
Calcraft.

315 Major Calcraft understood, that if the Plunder was small, the Soldiers were to have it; if large,
316 the Company. About 25 Lacks were divided, which he thinks was a large Sum.

Examination of Major
Calcraft.

315 Both Major Popham and Major Calcraft, thought that Mr. Hastings's Denial of the Right
did not agree with the Purport of his Letter. Major Calcraft's Distinction between a large
and a small Sum, did not continue after he had seen that Letter.

1781, Sept. 25.
Mr. Hastings's Procla-
mation.

296 Previous to the Siege of Bidgegur, Mr. Hastings, on his Return to Benares, issued a
Proclamation there, in Substance, that Cheit Sing had forfeited his Zemindary by his Re-
bellion, and the Ryots were to withhold their Obedience from him: that, to quiet the Ap-
prehensions of the Zemindars and Inhabitants on account of their Misdemeanors, every one
who should repair within a Month to the Governor General or Major Popham, and make
Submission, should be pardoned, except Cheit Sing and his Brother Sujaun Sing, and the
Town of Gopee Gunge.

Bidgegur.

Sect. 46. 47. 48. 49. 50.

“ so great, surely they might have expected to have benefited by the immediate Use of it
 “ as a Loan. I had, I must own, such Confidence in your Discretion, that I did expect,
 “ if the Treasure found in the Fort, should prove very considerable, you would not have
 “ proceeded to any Distribution of it until you had reported the Amount to the Board,
 “ and obtained their Sanction for appropriating it to the Troops, or at least that you would
 “ have represented it to me, as I am so near you.

“ I must therefore require of you to suspend any further Dividend or Distribution until
 “ the Orders of the Board respecting it are received; and I desire you will order and
 “ require the Officers, who have already shared, to refund the Sums which they have
 “ respectively received, and acquaint them if they do not, they will be responsible to
 “ Government, and that such Sums, as well as what shall remain, are, and must be subject
 “ to the final Decision of the Board.”

The Counsel further produce, Major Popham's Letter of the 16th of November, (Supra, Pa. 73.), apprising Mr. Hastings that the Mother of Cheit Sing would have more Effects than what were agreed to be given up, and of her being safely conducted to Benares; Mr. Hastings's Answer of the 18th (Supra, Pa. 73);—The joint Letters of the Officers, (Supra, Pa. 73);—Mr. Hastings's two Letters of the 30th;—the first, declining to answer the Arguments of the Officers, but in consequence of a Conversation between him and Major Popham, promising to lay that Letter before the Board, with favourable Observations from himself;—the latter, declining to receive the Officers' present as a Part of Property yet undecided;—and the Letters to Mr. Auriol, from several individual Officers (Supra, Pa. 73).

Sect.

Sect. 51.

The Article then proceeds to the Settlement of Benares, made by Mr. Hastings, after the Expulsion of Cheyt Sing,

and states, that after that Event, he did, of his own usurped Authority, without any Communication with or Approbation by the Council, appoint Rajah Mehipnarain to the Government of Benares;

and appointed his Father, Durbedgy Sing, Administrator of his Authority;

and gave to the British Resident, Markham, a controuling Authority over both;

and abrogated all Agreements subsisting between Benares and the British Nation.

And tyrannically of his mere Authority raised the Tribute to 400,000/.

and illegally imposed oppressive Duties upon Merchandize, to the Injury of Trade and Ruin of the Province:

and disposed of, as his own, the Property of the Province in Pensions to such Persons as he thought fit.—Art. Pa. 7.

Settlement with Mehipnarain.

Sect. 51.

Benares Narrative.

272 Mr. Hastings says, that his first Care on his Return to Benares was to determine the Succession of the Zemindary vacated by the Forfeiture of Cheyt Sing. The rest of his Family, who formerly possessed it, had not merited, by any Act of theirs, to be involved in his Punishment, he therefore appointed Mehipnarain (the Grandson of Bulwant Sing, by a Daughter married to Durbedgy Sing) his Successor. And he appointed Durbedgy Sing his Naib.

1781, Nov. 21.
Mr. Hastings to the Council.

294 Mr. Hastings transmits a Number of Papers, containing the Particulars of the Settlement of the Province, with Raja Mehipnarain. He says he has fixed the Jumma at 40 Lacks, with a Deduction of something more than 6 Lacks and a Half, for the Support of the Raja. He apprehends, that unless the Naib can obtain better official Assistance, his real Profits will fall below their allowed Amount; and therefore he encouraged the Naib to expect a

Examination of Mr. Benn.

317 Remission from the stipulated Jumma. Mr. Benn thought the Country would not yield

Petition of Mehipnarain.

317 40 Lacks, and he says the Raja's Allowance was not paid him. The Raja himself, and the Naib told him so. It is so stated by the Raja himself in a Petition, which he presented to Mr. Hastings, for the Release of his sequestered Jaghire.

The Duties.

1782, Apr. 8.
Markham to the Council.

297 It was referred to Mr. Markham to state the Particulars of the Customs designed to be levied, and of those formerly levied by Cheyt Sing. Relying on the Candour of the Board, he points out that a Duty of 5/ per Cent. upon Spices and Silk would be too heavy; and mentions the Orders of the principal Houses in the Decan to carry their Goods by a fresh Route,

Sect. 51.

Mr. Hastings admits the Appointment of Rajah Mehipnarain, in the Manner stated in the Article, but asserts that he had competent Authority to do it.

Admits the Appointment of Durbedgy Sing.

Says, he continued Mr. Markham Resident on the Part of the Company.

Denies that any Treaty ever subsisted between the British Nation and the People of Benares, or that they were an independant Power;

but he says, that Cheit Sing's Grant having been forfeited, it became necessary to make a new Settlement; and he accordingly framed such Regulations as he thought necessary.

Admits the Raising the Tribute as charged.

Says that the Duties before imposed upon Merchandize, were by him reduced to fixed Rates:

Denies that any of his Measures were tyrannical or illegal, or attended with the Consequences stated in the Article.

Denies that he disposed of, as his own, the Property within the Provinces.

Admits that he granted Pensions to certain Persons, justly intitled thereto.

Says that all the above Measures having been communicated by him to the Council, they fully approved and ratified the same. Anf. Pa. 12.

Settlement with Mehipnarain.

Sect. 51.

Mr. Hastings's Plan for the future Regulation of the Police, and the Administration of Justice, in the Town of Benares; recites, that the Town had been for many Years past, totally deficient in every essential Regulation for the Security of Peace, Persons, and Property; to remedy which, he appointed Ally Ibrahim Cawn Chief Magistrate; and to enable him to execute his Duties, Mr. Hastings established under him, a Cutwall, or principal Police Officer, a criminal, and a civil Court of Justice.

Mr. Hastings is convinced, that by proper Management, the Zemindary might yield more than his Estimate of it.

Mr. Hastings's Police Plan. 1648

Benares Narrative. 1652

The Duties.

Upon the Subject of the Duties, Mr. Hastings advises the Council of his having abolished several which were equally discreditable and impolitic. On the 22d November 1781, Mr. Hastings acquaints the Council that the Mode of collecting the Customs was much abused, and the Rates unequal, being proportioned to the Load, and not to the Value; that

Benares Narrative. 1649
1781, Nov. 22.
Mr. Hastings to the Council. 1651
1782, March 20.
Markham to the Council.

ARTICLE FIRST, BENARES.—PROSECUTION.

Settlement with Mehipnarain.

Sect. 51.

Route, in order to evade the Duty, if laid. He also suggests the Propriety of reducing the 5% per Cent. Duties to 2½ on the European Commodities.

Pensions. Resident's Emoluments.

1781, Nov. 21.
Hastings to the Council.

294 The Jaghires, or landed Estates, granted out of the Revenue of Benares, amounted to 61,496 Rupees per Annum; those given by Mr. Hastings were, to Beneram Pundit, 25,000 Rupees, for his faithful Services during the late Troubles; to Bundoo Cawn, 2000, for guiding Major Crabb's Detachment to the Pass of Lutteefpore; to Jaggernaut Sing, 1,200 for 30 Years faithful Service to the Company.

Mr. Benn states, that Opium, an Article of Export from Benares, producing annually to the Contractor 4 or 5000l. a Year, was a Monopoly in the Hands of the Resident. Salt-petre also, an Article of Exportation, was a Monopoly in his Hands. He also had the Direction and Profit of the Mint.

Sect. 52.

Mr. Hastings, in 1782, entered into a clandestine Correspondence with Markham the Resident,

who had been obtruded into that Office contrary to the positive Orders of the Directors.

Sect. 53.

And in consequence of his Representations, under Pretence that the new excessive Rent was in Arrear, and the Affairs of the Province likely to fall into Confusion, Mr. Hastings empowered Mr. Markham, of his own private Authority, to remove Durbedgy Sing, and deprive him of his Estate.

Sect. 54.

In consequence of which Orders and Representations, Durbedgy Sing was violently thrown into Prison,

and cruelly confined under Pretence of Non-payment of the said Arrears;

Sect. 55.

The Widow of Bulwant Sing, and the Rajah, pointedly accused Markham of being the sole Cause of the Delay in Payment of the Tribute: offered to prove the Innocence of Durbedgy Sing, and that the Faults ascribed to him, were solely the Faults of Markham.

Settlement with Mehpnarain.

Sect. 51.

that he had made a new Table of Rates, formed on the Value, and directed 5 per Cent to be levied thereon in one single Payment; and had sent the necessary Orders to the Raja and the Resident. Afterwards, the Duties of $2\frac{1}{2}$ per Cent. collected by the Aumeen are abolished by a Vote of the Council; and by the same Authority, the Duties of 5 per Cent represented by Mr. Markham to be too heavy, are reduced to 2 and $\frac{1}{2}$.

1782, April 8.
Minute of the Council.
Council to Markham.

See the Examination of Mr. Markham on this Head.

Examination of Mr. Markham. 1702

Pensions.

With respect to the Pension granted to Beneram Pundit, Mr. Hastings represents the great Zeal and Attachment of Beneram, and his Brother Bissumber, from the Year 1773, particularly as Ministers of the Raja of Berar, by adopting all Mr. Hastings's Views of Connection with that Rajah, for the Benefit of the Company, and in their Attachment to him in the late Troubles at Benares, and assisting him with Money, at a time, when he could get it no where else.

Benares Narrative: 1651
to 1653

This Letter acknowledges the Receipt of the several Vouchers transmitted by Mr. Hastings, explanatory of his final Settlement of the Provinces and Revenue of Benares, which the Council confirm under one united Head of Approbation. They particularly notice the Raising of the Jumma to 40 Lacks, the Granting of the Jaghires, the Adjustments of the Revenue, the Regulations of the Police, the Appointment of Ally Ibrahim Cawn, and the Abolition of the Taxes.

1781, Dec. 3.
Council to Mr. Hastings. 1638

Sect. 52.

Mr. Hastings says, that in 1782, he continued his Correspondence with Mr. Markham the Resident.

Sect. 53.

And, in consequence of his Representations, that the new Rent was in Arrear, and the Affairs of the Province were likely to fall into Confusion, Mr. Hastings, himself being at too great a Distance to consult the other Members of the Council, and fearing the Consequences of Delay, empowered Markham to remove Durbedgy Sing, and give him opo dhsi ft ie official Allowance;

which being notified to the Council, they approved thereof.

Sect. 54.

In consequence of which Representations he directed Markham to take proper Measures to prevent the Flight of Durbedgy Sing, and the Removal of his Effects.

Whereupon Markham deemed it necessary to confine him in his own House; which Confinement was afterwards continued by the Board.

Denies that the Confinement was attended with Violence or Cruelty; or that the Nonpayment was only a Pretence, Durbedgy Sing being then considerably in Arrear in respect of Money received by him, and due to the Company on Account of the Tribute.

Sect. 55.

Mr. Hastings says, that after Durbedgy Sing had been removed and a Successor appointed, the Widow of Bulwant Sing, and the Raja Mehpnarain, accused Markham of being the Cause of the Delay in the Payment of the Tribute, and insisted upon Durbedgy Sing's Innocence.

Says,

Sect. 55.

Yet Mr. Hastings, paid no Regard to the said Representations, but accused the Widow and the Rajah of gross Presumption.

and, listening to the Representations of the Person accused, he continued to confine Durbedgy Sing in Prison. Art. Pa. 5.

Durbedgy Sing.

Clandestine Correspondence with Markham.

Sect. 52.

1782, Nov. 27.
Minute of Mr. Hastings.

298 Mr. Hastings, on this Day, produces to the Board Mr. Markham's Correspondence with him, and requests that Orders may be sent to him thereupon. He says, in consequence of the Information which he had received, that the Affairs of the Province were likely to fall into the greatest Confusion, he had exercised his own separate Authority, and wrote the Letter of the 29th of September (Infra).—He had given Mr. Markham Expectation that he should get his private Orders confirmed by the Board, which accounts for Mr. Markham's Reference to his Orders for what he had done in Obedience to him.

The Appointment of Mr. Markham, in Contradiction to the Orders of the Directors, appears from the Evidence under the Sections, 24, 25.

Sect. 53.

1782, Sep. 29.
Mr. Hastings to Mr. Markham.

299 Mr. Hastings acknowledges Mr. Markham's Letter of the 8th, which convinces him of Durbedgy Sing's Incapacity, and of the Necessity of removing him. Cautions him to take Care of his Person and Effects, and to assure Durbedgy Sing, that unless he pays every Rupee of his Revenue, his Life should answer it.—Repofes entire Confidence in Mr. Markham, and authorises him to nominate a Naib.

Sect. 54.

1782, Nov. 12.
Markham to the Council.

300 The Resident finding Durbedgy Sing, as he alledges, obstinate in withholding Payment of the Balance due, dismissed, and put him under a gentle Confinement. He thinks Durbedgy Sing

Sect. 55.

Says, that having sufficient Reason to believe the Representation of Markham to be true, and to disbelieve the Charges brought against him, he and the Council did not deem any particular Inquiry necessary.

Denies that he made any Accusation against the Widow of the Raja for having preferred such Charges.

Admits that he had, prior to the Receipt of such Charges, declared his Opinion of the Presumption of the Widow and the Raja, on a former, and different Occasion.

Says, that Durbedgy Sing was afterwards, by the Authority of the Board, and subsequent to his Departure for Europe, continued in Confinement for the same Causes which originally rendered the said Confinement necessary. Anf. pa. 12.

Durbedgy Sing.

Sect. 52.

Sect. 53.

So early as July 1782, the Misconduct of Durbedgy Sing, and the Oppressions committed by his Aumils, induced Mr. Hastings to shew his Displeasure, and to entrust Mr. Markham with certain Powers in the Event of Durbedgy Sing disobeying Mr. Hastings's Orders. Durbedgy Sing professed entire Obedience, but in Fact delayed to do any Thing in consequence thereof.

1782, Aug. 4. Markham to Mr. Hastings. 1653

In October following, Mr. Markham complains of Durbedgy Sing's Remissness in his Payments, notwithstanding his Remonstrances and his Apprehensions of a severe Loss to the Company, if Durbedgy Sing is continued in the Naibut for the present Year. During two Months Illness, he was incapable of transacting any Business, but would appoint nobody to do it for him; by which Mr. Markham imagines he would be a considerable Loser.

1782, Oct. 24. Markham to the Council. 1654

Sect. 54.

The Council approve of the Measures recommended by the Governor General respecting Durbedgy Sing, and the Mode of carrying them into Execution by the Resident; and of

1782, Dec. 4. Minute of the Council. Council to Markham. 1654

Durbedgy Sing.

Sect. 54.

Sing never intended to keep the Country above a Year, because he was disgusted that the Country should be given to him, on harder Terms, than those on which Cheyt Sing held it. He thinks he shall be able to prove that Durbedgy Sing has collected upwards of 40 Lacks. Is certain, that he has Money by him, sufficient to pay up the Arrears.

1782, Jan. 23,
to
1783, April 12.
Several Letters of the
Resident to the Council.

1783, December.
Markham to the Council.

1783, Dec. 27.
Minute of the Council.
Council to Fowke.

1783, Feb. 17.
Markham to Mr. Hastings.

1784, Feb. 12.
Council to Fowke.

Examination of Mr.
Benn.

304 Durbedgy Sing was only one Month in Arrear, when he was put into Confinement. On
to the 25th of January, 1782, he had liquidated the 3 first Kists of Affin, Kautick, and
306 Augun; in April those of Maug and Phaugun; in September, the 11th Kist for Saween. On the 30th of the same Month, it appears that a Balance of Six Lacks then remained due, in Hopes of obtaining which, Mr. Markham still kept him in Confinement. In the following April, it appears that Durbedgy Sing had paid his Balance, subject to the Company's Allowance of certain Claims made by him. In December following, Durbedgy Sing paid Mr. Markham the Balance of his Baudoon Kist, subject to Deductions claimed by him; an Account of which Mr. Markham had transmitted, the preceding February. In consequence of which, and of Durbedgy Sing's Engagement to pay such Deductions as should be disallowed, Mr. Markham released him from his Confinement. These Deductions were settled by the Arbitration of Ally Ibrahim Cawn, and the Resident was ordered to demand the Amount.

317 Mr. Benn says, Durbedgy Sing was first imprisoned, from November 1782 to April 1783—that he was imprisoned a second Time, from March 1784 to March 1785, and died in Prison—that his second Imprisonment was more rigorous than the first; for a few
324 Days he was deprived of his Hooka. His Jaghire of £.6000 a Year, was sequestered. His first Confinement was by the Order of Mr. Hastings; his second Confinement by his Order, or that of Government.

318 Mr. Benn believes Disease was the Cause of his Death. The Arbitration of Ally Ibrahim Cawn
319 was made by mutual Consent, and he awarded 150,000 Rupees to the Company, which was never
334 paid. Mr. Benn thinks the depriving Durbedgy Sing of his Hooka was no more than depriving
357 an English Gentleman of his Snuff-box.
358

Sect. 55.

Widow of Bulwant Sing
to Mr. Hastings.
Mehipnarain to Mr.
Hastings.

303 Immediately upon the first Confinement of Durbedgy Sing, his Mother-in-law, and his Son, the Raja Mehipnarain, made heavy Remonstrances to Mr. Hastings against the Treatment of Durbedgy Sing; charged the Arrears of the Revenue to arise from the Protection given by Mr. Markham to the Revenue Debtors, for the Purpose of rendering Durbedgy Sing incapable of making his Payments; and accused Markham of confining Durbedgy Sing, and seizing his Clerks and Papers, without Proof of any Crime against him, although challenged thereto by Durbedgy Sing's Relations. Desired that the Crime or Innocence of the Baboo might be proved.

1782, Nov. 27.
Minute of Mr. Hastings.

298 Notwithstanding this Remonstrance, Mr. Hastings requests the Board to exact every Rupee from Durbedgy Sing by close Confinement at Benares or Chunar, and to divest him of his Jaghire. The Opposition of the Raja and the old Rannee ought to be checked by a Denunciation of Displeasure of the Board at their Presumption. In the Management of this Business, he recommends to the Board to trust to the Discretion of Mr. Markham.

Examination of Mr.
Markham.

1741 See Mr. Markham's Examination, upon Circumstances relative to Durbedgy Sing.
to
1748

Sect. 56. Mr. Hastings invested Markham with Authority to bestow the Office of Durbedgy Sing, upon whomsoever he pleased; and he bestowed it, upon Jagger Deo Sing;

who, in order to gratify the arbitrary Demands of Mr. Hastings, greatly harassed and distressed the unfortunate Inhabitants of the Province.

Sect. 57. Mr. Hastings, some Time in 1784, removed Jagger Deo, under Pretence of certain Irregularities and Oppressions, which were solely imputable to Mr. Hastings himself.

Sect.

Durbodgy Sing.

Sect. 54.

of the Appointments recommended by Mr. Hastings in his Letter of 29th September; (Supra, pa. 79.) The same Approbation they extend to Mr. Markham, and direct him every Rupee which Durbodgy Sing has collected; and to confine him until he shall have discharged the Whole.

See Mr. Markham's Examination, relative to Durbodgy Sing, and his Imprisonment.

Examination of Mr. Markham. 1704 to 1706

Sect. 55.

Sect. 56. Mr. Hastings answers, that Markham being authorised by him, under the Circumstances aforesaid, to nominate a Naib in the Room of Durbodgy Sing,

he bestowed the Office upon Jagger Deo,

who afterwards distressed and harassed the Inhabitants of the Province; but denies, that Jagger Deo was by him obliged so to do.

Sect. 57. Admits that he did, in 1784, being then at Lucknow, recommend to the Board the Removal of Jagger Deo, on Account of Oppressions by him committed; and that he was removed accordingly.

Denies that the alledged Oppressions were merely a Pretence, or that they were in any Degree imputable to him.

Sect.

Sect. 58. And the Consequences of all these violent Changes and arbitrary Acts, were the total Ruin, and Desolation of the Country, and the Flight of the Inhabitants; Mr. Hastings found every Place abandoned at his Approach, even by the Officers of the very Government which he established, and saw nothing but Traces of Devastation in every Village:—the Province, in Effect, without a Government; the Administration misconducted; the People oppressed; Trade discouraged; and the Revenue in Danger of a rapid Decline. Art. pa. 8.

Jagger Deo.

Sect. 56.

1782, Sept. 29.
Mr. Hastings to Markham.
1782, Nov. 12.
Mr. Markham to the Council.
1782, Nov. 27.
Minute of Mr. Hastings.

Petition of Mehpnarain.
1784, March 4.
Mr. Hastings to Fowke.

1784, April 20.
Benn to Fowke.

Examination of Mr. Benn.

299 Mr. Hastings implicitly leaves to Mr. Markham the Choice of a Successor to Durbedgy
301 Sing, excepting, that Ouffaun Sing is not to be appointed on any Terms. Mr. Markham appoints Jagger Deo, as the fittest of the only two remaining of the family of Bulwant Sing. Mr. Hastings desires the Council will authorise Mr. Markham, to grant the Khelaut to Jagger Deo.

343 The Mal-administration of Jagger Deo is represented, to Mr. Hastings by Mehpnarain. He complains that his Jaghire is sequestered, notwithstanding he had paid the Arrears due from his Father Durbedgy Sing, and yet he had not received a single Daum of his established Allowance since his Accession to the Rajê. That, contrary to good Policy and the Welfare of the People, Jagger Deo makes Exactions from the whole Country, and does not pay even the fixed Revenue. Mr. Hastings transmits the Petition to Mr. Fowke, and
345 directs him to inquire into the Truth thereof. Mr. Benn acquaints Mr. Fowke with the Result of the Inquiries made by him. He says, Jagger Deo never interposed his Authority to remedy the Complaints of the Commanding Officers of Buxar and Gauzipore on account of the Scarcity of Grain—in consequence of which, the Sepoys went into the Villages to
332 supply themselves, causing great Confusion and Violence. Mr. Benn says these Complaints were substantiated by other People than the Complainants.

Sect. 57. 58.

1784, April 2.
Mr. Hastings to the Council.

306 The Managers prove the Facts charged in these Sections, by the following Letter of Mr. Hastings himself to the Council. From the Confines of Buxar to Benares, he was followed and fatigued by the Clamours of the discontented Inhabitants, caused by a defective, if not a corrupt, and oppressive Administration. The bad Practices prevailing, are not to be imputed to the Aumils, but to the Naib, Jagger Deo himself. The Principle avowed by him to Mr. Hastings, and also to Mr. Anderson was, to collect the whole Sum fixed for the Revenue of the Province, therefore the Deficiencies in one Place must be supplied by Resources from the
307 others. The Naib also ruined the Commerce of the Province, by arbitrary Exactions of exorbitant Duties from the Merchants. Every Place through which Mr. Hastings passed was abandoned; complete Devastation appeared in every Village; and the Inhabitants fled at his Approach. He imputes these Irregularities to the Naib, and recommends his instant Removal. The Province is without a Government; the Name of the Rajah disused in all official Acts; the Administration misconducted; and the Revenue (though exceeded by many Lacks in the actual Collections) in Danger of a rapid Decline.

Sect. 58. Denies that he was guilty of any arbitrary or tyrannical Acts whatsoever, or that any Measures by him enforced, were productive of the Consequences stated in the Article.—Ans. Pa. 13.

Jagger Deo.

Sect. 56.

The Council confirm Mr. Markham's Appointment of Jagger Deo.

1782, Dec. 4. 1655
Mr. Markham's Council to Markham.

Sect. 57. 58. The Counsel, to shew the Conduct of Jagger Deo, and the Grounds of his Removal, produce, the Petition of the Rozemadars of Benares, complaining of Money being forced from them by Jagger Deo :—the Complaints of the Ryots of Kizziaut—of innumerable Extortions committed by the Aumils of Jagger Deo, and countenanced by him :—Letters of Mr. Hastings in March and May 1784, directing the Residents to inquire into various Complaints against Jagger Deo and his Aumils :—a Letter of the Resident in Nov. 1785, upon a Petition of Jagger Deo, stating, that his Conduct had been examined by the late Governor General, and the Result was, Dismission; others, the Resident says, might be also criminal, but Jagger Deo was the principal Manager; he is still in Balance to the present Naib for several Farms which he held in the Names of other People, which Balance, Mr. Grant the Resident, who was to investigate the Account, thinks Jagger Deo must pay.

The Counsel then produce the Proceedings of Government in consequence of Mr. Hastings's Letter of the 2d of April 1784 (opposite); on the 20th of May following, the Majority resolve to address Mr. Hastings upon his Letter of the 2d of last Month. They desire to be made acquainted with Mr. Hastings's Plan for the Reformation of the Country, and that he will avoid frequent Changes in the Administration of the Collections, from the Consequences which such Changes inevitably produce. They engage to adopt any Check which Mr. Hastings may think necessary for the Happiness of the People, without encroaching

1785, Aug. 24. 1659
Consultation Petition of the Rozemadars of Benares. 1658
Of the Ryots of Kizziaut.
1784, May 13. Mar. 16. 22.
Mr. Hastings to the Resident.
Petition of Amrowsing.
1784, Mar. 18.
Sullivan to the Resident.
1785, Nov. 19.
The Resident to the Secretary.
1784, May 20. 1659
Minute of the Council.
Council to Mr. Hastings.

Jagger Deo.

Sect. 57. 58.

State of the Country.

R E P L Y.

2488 The Managers observe, that a Part of their original Case was, that Benares, according to Mr. Hastings's Account of it, was in a State of Devastation in 1784, Supra, Pa. 83.

That, in the Defence, the Counsel had produced Mr. Duncan's Letter to Lord Cornwallis (Supra, Pa. 86), to shew that the Country was at that Time capable of yielding the Revenue;

Therefore they should produce Evidence of the intermediate State of the Country between those Periods, particularly in 1788, by Mr. Duncan's Report upon that Subject, dated 12th of Sept. in the same Year.

From this Report, it appears,

2496 That many Complaints occurred; many of the Pergunnas were in a State of Decay; 2610 some few of the largest and best of them, little better than waste, particularly Kereed an Ballecah.

2498 That additional Articles of Taxation imposed upon the Renters, have been gradually 2499 accumulating since the Expulsion of Cheyt Sing, which are very distressing to the Per- 2501 gunnas where they exist. Unless these Irregularities are corrected, even the next Year may 2502 discover the latent Inability and reduced State of the Country by an alarming Failure in the Receipt of the Government's Revenue.

Jagger Deo.

Sect. 57. 58.

ing upon the Rights of the Raja established by Mr. Hastings's Agreement in 1781. Mr. Hastings again urges to the Council the absolute Necessity, of changing the present System of the Government of Benares, or the Revenue will be lost, and the People become disaffected. His intended Plan will not at all affect Mr. Fowke, but he declines giving a minute Detail, without receiving Encouragement that it will be adopted, for fear of involving deserving Men in the Vengeance of those People, whose Interest will be affected by the Change. In June following, the Council debate whether they shall adopt Mr. Hastings's Plan for the Collection of the Revenues of Benares. Mr. Stables, wishes to see no Alteration, as the Kists have been regularly paid up, and no Complaint made by the Resident of the Conduct of the Naib. Mr. McPherson agrees to the Appointment of a new Naib, as Mr. Hastings states his Plan to be an Expedient, and becomes responsible for the Success of it; and as the Naib appears to be the Choice of the Raja and the Rannee. Mr. Wheler, leaves the Responsibility of the Plan to Mr. Hastings, but declares his Opinion, that no Time ought to be lost in removing Jagger Deo, and with him, if possible, the Evils complained of as occasioned by his Administration. The Council resolve to carry the Plan into Execution, the Governor being responsible for its Effects. The Plan consists of six Propositions: 1. Constituting the Raja nominally necessary in all Acts of Government. 2. Ajab Sing to be Naib. 3. Ally Ibrahim Cawn to be Aumeen and Inspector, to assist the Naib. 4. Cannongoes to hear the Complaints of the Ryots, who are to refer them to the Aumils or to the Aumeen; who is to present them to the Naib. 5. The Resident to receive the monthly Kists. 6. The Raja and the Naib to establish a Treasury. Two Mutsuddies to sit there, one on the Part of the Aumil, the other on the Part of the Resident. Mr. Hastings directs Mr. Fowke the Resident, to carry the Plan into immediate Execution; and he acquaints the Board that on the 12th of Sept. a great Progress had been made in the new Arrangements, and that he was desirous of inquiring further into the Causes, which, independent of the Oppression of its late Ruler, had promoted the Prosperity or Declension of the Province, when he was interrupted by Intelligence which required his return to Calcutta.

1784, May 23.
Mr. Hastings to the Council. 1660

1784, June 30.
Minute of the Council. 1660

Mr. Hastings's Plan. 1663

1784, July 14.
Mr. Hastings to the Resident. 1662
Oct. 21.
Mr. Hastings to the Council.

Benares Revenue, regularly Paid.

Mr. Duncan apprises Lord Cornwallis, that he is about transmitting his Report on the State of the Collection at Benares; meanwhile, he acquaints his Lordship, that the full Revenue fixed for the Raja's Life, by the late Governor General, has, with Regularity, without Hardship or Difficulty, been realized, thereby exceeding the Funds which Mr. Duncan promised in his Letter of the 26th of April 1789. He believes the Country to be in a promising Progress of Improvement.

1790, Nov. 5.
Duncan the Resident, to Lord Cornwallis. 1664

Jagger Deo.

Sect. 58.

²⁵⁰³ That the Administration of Justice throughout the Country, excepting Benares, Gauzi-
²⁵⁰⁴ pore, Juanpore, and Mizapore, was, and had long been in a deplorable Condition, chiefly
 for Want of a Court to decide upon Revenue Causes.

²⁵⁰⁵ That Mr. Duncan found it impracticable to make the Collections without the Use of
 Sepoys. That in the so much praised Administration of Bulwant Sing, he, was nevertheless
 obliged to make constant use of both Horse and Foot to realize the Collections.

²⁵⁰⁶ That sudden Conflicts about Boundaries are very frequent in the Country, the smallest
 Offence will occasion them; a Cow breaking into a Plantation has often armed half a
 Village against another; frequently occasioned Loss of Lives, and always Bloodshed; and
 the People look upon these Things as Matters of Course.

“ That the Zemindars and Ryots of Benares, have all a military Spirit, and some of
 “ them, especially on the Borders, mix with it a degree of Wildness and local Notions of
 “ what they call Hoormut or Honour, that makes them prone to resist the native Collec-
 “ tors on very slight Occasions; which they can the more effectually do, by their distinct
 “ Casts, living many of them together in one or more adjoining Villages, so that, being
 “ thus united, they of course adopt each others Quarrels, and can thus easily set the
 “ Aumils Peons at Defiance. Besides this, as it has been the constant Practice in this, and
 “ the neighbouring Country of the Nabob Vizier, to carry on the Collections by military
 “ Aid, the Habit is so rooted, that if our Aumils have not a party of Sepoys resident with
 “ them, the Zemindars and Ryots are inclined to contemn their Authority, as thinking
 “ that they have not the Support of the Presidency.”

²⁴⁹⁵ That Mehudy Ally Cawn, rather than suffer the Dishonour of being in the Custody of
²⁵⁹² Peons, on Account of a Deficiency in his Payments, had swallowed a Dose of Poison.
²⁶⁰³

Examination of Lord
 Cornwallis.

²⁷²¹ Upon the State of the Country, Lord Cornwallis acknowledges to have written in
²⁷²² August 1789 as follows: “ In this Description I must even include almost every Zemin-
 “ dar in the Company’s Territories, which, though it may have been partly occasioned by
 “ their own Indolence and Extravagance, I am afraid must also be in a great Measure, at-
 “ tributed to the Defects of our former System of Management.”—Also to have written
 on the 18th September 1789, “ I may safely assert, that One Third of the Company’s
 “ Territories in Hindostan is now a Jungle inhabited only by wild Beasts.”—Also to have
 described on the 3d November 1788, the State of the Zemindars and of the Country to be
 most deplorable. See the Extracts at length.

59. All which Destruction, Devastation, Oppression, and Ruin, are solely
 imputable to the above-mentioned and other arbitrary, illegal, unjust, and
 tyrannical Acts, of him the said Warren Hastings; who, by all, and every
 one, of the same, was, and is guilty of High Crimes and Misdemeanors.—
 Art. Pa. 8.

Jagger Deo.

Sect. 58.

Company's Territories, improved by Mr. Hastings.

Major Osborne says, that every part of the Company's Dominions, which he saw, except Part of Bahar, was considerably improved under the Government of Mr. Hastings.

Examination of Major 1670
Osborne.

Sect. 59.

Denies, that in all, or any of the Premises, he was, or is, guilty of any Crime or Misdemeanor whatsoever.—Ans. Pa. 13.

ARTICLE FIRST, BANNERS—DEFENCE.

Jagger Dec.

Sec. 1.

Company's Territories, improved by Mr. Halling.

Examination of Major 1876

Major Osborne says that every part of the Company's Territories, which he saw, except Part of Babar, was considerably improved under the Government of Mr. Halling.

Sec. 2.

It is in all of the Territories, except Part of Babar, that the Company's Territories, which he saw, except Part of Babar, was considerably improved under the Government of Mr. Halling.

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